

UNITED STATES OF AMERICA
UNITED STATES COAST GUARD

* In the matter of: *
* * * * *
* THE MARINE BOARD OF INVESTIGATION *
* FOR THE CAPSIZING OF THE *
* LIFTBOAT *SEACOR POWER* IN *
* THE GULF OF MEXICO ON APRIL 13, 2021 *
* * * * *

HOUMA, LOUISIANA

TUESDAY
AUGUST 10, 2021

8:00 a.m. – 5:47 p.m.

A P P E A R A N C E S

U.S. Coast Guard

CAPTAIN TRACY PHILLIPS, Presiding Officer

MR. ANDREW LAWRENCE

MR. ERIC VERDIN

LT SHARYL PELS, Legal Counsel

LT ANTHONY ALGER, Recorder

PAC ELIZABETH BORDELON, Media Liaison

CWO4 LAWRENCE BLEVINS, Family Liaison

National Transportation Safety Board

MR. ANDREW EHLERS, Investigator in Charge

MR. MICHAEL KUCHARSKI

MR. MARCEL MUISE

Parties in Interest

MS. ANTONIA APPS, Esq.

MR. GARY HEMPHILL, Esq.

MR. PETER TOMPKINS, Esq.

Seacor Marine, LLC and Falcon Global Offshore, LLC

MR. GERARD WHITE, Esq.

MR. CRAIG BURCH, Esq.

American Bureau of Shipping (ABS)

MR. PAUL STERBCOW, Esq.

First Mate Bryan Mires

Also Present:

MR. FREDERICK SWAIM, Esq.

(on behalf of Mr. Scott Timmons and Mr. James Endres)

INDEX

<u>ITEM</u>	<u>PAGE</u>
Opening Remarks – Captain Tracy Phillips, Presiding Officer	5
Examination of Mr. Scott Timmons:	
By Captain Phillips	7
By Mr. Lawrence	42
By Mr. Verdin	46
By Mr. Ehlers	56
By Mr. Muise	65
By Mr. Kucharski	68
By Mr. Ehlers	89
By Mr. Verdin	91
By Mr. Kucharski	94
By Mr. White	100
By Ms. Apps	103
By Mr. Sterbcow	112
By Captain Phillips	129
By Mr. Kucharski	129
By Captain Phillips	131
By Mr. Verdin	133
By Captain Phillips	133

<u>ITEM</u>	<u>PAGE</u>
Examination of Mr. James Endres:	
By Captain Phillips	135
By Mr. Ehlers	159
By Mr. Kucharski	161
By Mr. Lawrence	173
By Mr. Kucharski	176
By Ms. Apps	177
By Mr. Sterbcow	179
By Mr. White	183
By Mr. Kucharski	190
By Captain Phillips	191
By Mr. Kucharski	192
Examination of Mr. Paul Fremin:	
By Captain Phillips	194
By Mr. Ehlers	214
By Mr. Kucharski	220
By Mr. Lawrence	227
By Mr. Sterbcow	228
By Ms. Apps	243
By Mr. Kucharski	259
By Captain Phillips	259

PROCEEDINGS

1
2
3 **CAPT Phillips:** The time is now 0800 on August 10th, 2021, this hearing is now in
4 session. Good morning ladies and gentlemen I'm Captain Tracy Phillips, United States
5 Coast Guard, Eighth District Chief of Prevention and of the Chair of the Coast Guard
6 Marine Board of Investigation and the Presiding Officer over these proceedings. The
7 Commandant of the Coast Guard has convened this board under the authority of Title
8 46 United States Code, Section 6301 and Title 46 Code of Federal Regulations Part 4.
9 The board is convened to investigate the circumstances surrounding the capsizing of
10 the SEACOR POWER with the loss of 13 lives on April 13th, 2021 while the transiting
11 the Gulf of Mexico. Our investigation will determine the factors that contributed to the
12 accident. This hearing will examine a variety of different topics including the incident,
13 the events leading up to the incident, the weather, search and rescue efforts, the
14 condition of the vessel, the owner, the charterer and the regulatory scheme which
15 applied to the vessel. Once we identify what contributed to the incident then we will
16 make recommendations in order to prevent similar casualties from occurring in the
17 future. This may include recommendations for new laws or regulations. Our Marine
18 Board will determine whether there's evidence that any act of misconduct, inattention to
19 duty, negligence or willful violation of the law on the part of any licensed or certificated
20 person contributed to the casualty. The board will also determine whether there's
21 evidence that any Coast Guard personnel or any representative or employee of any
22 other Government agency or any other person caused or contributed to the casualty.
23 Upon the completion of the investigation this Marine Board will submit its report of

1 findings, conclusions and recommendations to the Commandant of the United States
2 Coast Guard. I will now review the hearing rules for all participants and observes. First
3 we would like to minimize any disruptions to the board and to witnesses. Please remain
4 silent during questioning. Any talking or loud noises that are distracting to the board or
5 the witness will result in a recess. And the audience member engaged in the distracting
6 behavior will received one warning. Please do not enter and exit the hearing room
7 during witness testimony unless absolutely necessary. Second, silence all cellphones.
8 Please exit the hearing room to make or receive all phone calls. Third, treat the
9 witnesses and all other participants with respect. The witnesses are appearing before
10 the board to provide valuable information that will assist this investigation. Please be
11 courteous to the witnesses and respect their right to privacy, both inside and outside the
12 hearing room. Fourth, all media interviews must be conducted outside of the hearing
13 venue. The members of the press are welcome to attend the hearing and an area has
14 been set aside for the press during the proceedings. The news media may interview
15 hearing attendees or witnesses if they agreeable, but these interviews shall be
16 conducted outside of the hotel building. Any witness interviews shall be conducted after
17 I have released the witness from these proceedings. Finally, hearing attendees shall
18 remained masked at all times and shall comply with other posted COVID protection
19 measures. Hearing participants may remove their mask during questioning and
20 testimony. Any failure to follow the hearing rules will result in one warning. If an
21 individual continues to engage in the same behavior after receiving a warning, that
22 individual will be removed. Warnings or removal of audience members can cause
23 significant delays in the proceedings, so we ask for your cooperation in following these

1 rules throughout this important event. We will now hear testimony from Mr. Scott
2 Timmons. Lieutenant Alger can you please administer the oath?

3 **Recorder:** Good morning, sir. If you could raise your right hand. A false statement
4 given to an agency of the United States is punishable by a fine and or imprisonment
5 under 18 U.S. Code 1001. Knowing this do you solemnly swear that the testimony
6 you're about to give will be the truth, the whole truth and nothing but the truth, so help
7 you God?

8 **WIT:** I do.

9 **Recorder:** Please be seated. Could please state your full name and spell your last?

10 **WIT:** Scott Parson Timmons, T-I-M-M-O-N-S.

11 **Recorder:** And can you identify your counsel present?

12 **Counsel:** Frederick, F-R-E-D-E-R-I-C-K, Swaim, S-W-A-I-M. As first representative for
13 Captain Timmons.

14 **Recorder:** Thank you.

15 **Counsel:** If I may at the outset Captain Timmons on his own accord has prepared a
16 summary statement of his education and employment background in the marine world.
17 And we would ask the panel to – he be allowed to read it for the record if that's okay?

18 **CAPT Phillips:** Thank you. Yes. Good morning Mr. Timmons.

19 **WIT:** Good morning.

20 **CAPT Phillips:** Thank you for coming today.

21 **WIT:** Thank you.

22 **CAPT Phillips:** I will let you go ahead and read your statement. Thank you.

1 **WIT:** As far as formal schooling I have a High School GED. License and certifications I
2 currently have a 1600 ton Master of Oceans. DP operator unlimited. Certificate and all
3 the prerequisites for the STCW certifications. Advanced firefighting, GMDSS, water
4 survival, medical care provider, bridge management resources as well as celestial
5 navigation. I have several certifications as a volunteer firefighter and first responder. I
6 received my firefighter 1 and firefighter 2 certifications as well as advanced extrication
7 training with the Jefferson Parish firefighting training academy. I also hold a hazmat
8 operations level certification from the Louisiana State University. My offshore career
9 started on crew boats to deck hand when I was 15 years old in 1986. I received my first
10 Master's license, 100 ton Master, 200 ton Mate at 18 in 1989. And upgraded to 200 ton
11 Master roughly a year later. Worked as a Captain on crew boats until I switched to lift
12 boats with Cross Marine in April of 1991 as a Mate. I worked as a Mate for just over a
13 year to learn lift boats stability and lift boat operation procedures before being issued my
14 first vessel as a lift boat Master. I've upgraded to 500 ton Master, 1600 ton Mate near
15 coastal in 1995. Then I completed celestial navigation and the remaining STCW
16 requirements to upgrade to a 1600 Master of Oceans in 1998. I was a Captain for
17 Cross Marine until the company was purchased by Cardinal Services and was issued a
18 first new build in 1998. It was a Bollinger built 200 class lift boat named the PG JONES.
19 In 1999 I quit going offshore and went into the office for Cardinal Services as a crew
20 coordinator and operation supervisor and soon thereafter Cardinal Marine was
21 purchased by Superior Energy. I continued working in the office for Superior until I went
22 back offshore as a Captain in 2008. Later that same year I was issued my second new
23 build a 265 class lift boat named the SUPERIOR INFLUENCE. Which later became the

1 SEACOR INFLUENCE when SEACOR purchased Superior Marine and was in 2013. I
2 continued Captain of this vessel for SEACOR until it was stacked in 2019. This is when
3 I was assigned to lift boat SEACOR POWER. My cumulative tenure with SEACOR as
4 of this last April was 30 years. I recently changed companies to Alliance Offshore to
5 take a position as a Captain on the previously lift boat SEACOR INFLUENCE now
6 named MIAMI.

7 **Counsel:** And if there's any part of that you missed we can provide that to the panel in
8 writing. Thank you.

9 **CAPT Phillips:** Thank you very much. That's very helpful to hear all your background
10 and experience. Just go through and see if I have any questions on anything. How big
11 was the SUPERIOR INFLUENCE?

12 **WIT:** The SUPERIOR INFLUENCE is a 265 class.

13 **CAPT Phillips:** So it's the same size as the SEACOR POWER?

14 **WIT:** Yes, ma'am.

15 **CAPT Phillips:** Thank you. You said when you swapped over to lift boats you spent a
16 year as a Mate before you took over as a Master. Have you received any other lift boat
17 specific training?

18 **WIT:** I recall back in, I want to say it was in early 2000 I couldn't decipher the year, but I
19 can say we took some stability courses in Lafayette.

20 **CAPT Phillips:** And when you moved over to the SEACOR POWER did you receive
21 any training specific to the SEACOR POWER?

22 **WIT:** Nothing other than a vessel orientation as far as getting familiar with the vessel
23 itself.

1 **CAPT Phillips:** And when was the last time you were on board the SEACOR POWER?

2 **WIT:** It would be the morning of the incident.

3 **CAPT Phillips:** Was that a regularly scheduled crew change that morning?

4 **WIT:** Actually no. We moved the crew change up one day because of the voyage that
5 was expected it was going to take longer than one day to get there and our crew
6 change is the next day. So we moved it up one day.

7 **CAPT Phillips:** And how was the vessel operating at that point when you got off on the
8 morning of the 13th?

9 **WIT:** The vessel was operating well. There were no issues other than what was being
10 repaired at the time.

11 **CAPT Phillips:** Can you tell us more about what was being repaired?

12 **WIT:** Yes, ma'am. On the previous voyage we were coming in we received some
13 damage. We lost a life raft and also damaged some grating on the starboard leg tower.

14 **CAPT Phillips:** How did that happen?

15 **WIT:** Again we was coming in Fourchon, we was catching wind and seas from the
16 Southeast. And it was hitting us mid-ship. The ground swells were hitting the vessel
17 and they would push a line of spray up. That's what I'm assuming happened with the
18 life raft because I did witness it happen to the grating on the leg tower. But there was
19 no eye witness that actually watched the life boat when it went over. Life raft.

20 **CAPT Phillips:** So you were having repairs while the boat was in port at that time?

21 **WIT:** Yes, ma'am.

22 **CAPT Phillips:** Was SEACOR doing the repairs or were they being done by somebody
23 else?

1 **WIT:** It was third party Bollinger.

2 **CAPT Phillips:** And did the life raft get lost the day before you came in or a couple
3 days before or?

4 **WIT:** I believe we got in, if I remember correctly it was a Sunday afternoon. It would
5 have been the previous morning before daylight. Or that morning before daylight.

6 **CAPT Phillips:** And were you on your way in for a normal stop? Or did you have to
7 come in especially because of this situation?

8 **WIT:** Oh no, ma'am. We were coming in. We finished the location that we was at. We
9 was then going to switch equipment and go to the next job.

10 **CAPT Phillips:** How many days on and off did you usually do on the SEACOR
11 POWER?

12 **WIT:** We worked 14 days on and 14 days off.

13 **CAPT Phillips:** And what was your typical watch schedule when you were on a 14 day
14 hitch?

15 **WIT:** Generally 0600 to 1800.

16 **CAPT Phillips:** And who would take the night watch for you?

17 **WIT:** I have my Chief Mate.

18 **CAPT Phillips:** So when you came in on the morning of the 13th what time, or when
19 you did the crew change on the morning of the 13th, what time was the crew change?

20 **WIT:** I believe they arrived about 0600 or shortly thereafter.

21 **CAPT Phillips:** Can you kind of walk us through what you were going over or what you
22 talked about?

1 **WIT:** Yes, ma'am. We discussed the condition of the vessel of course. About the
2 future job. What information we had on that. Kind of what was expected and the
3 timeframe of the jobs. As well as the current condition of the vessel and that was they
4 were still working on I think the grating at that time. We completed the life raft, but I
5 mentioned to him that it didn't look right. We failed to, on our side failed to put the
6 bracketry that came with the life raft, I never seen it. And it was just installed without the
7 new bracketry. I later found out that it was in the box, but the box was disposed of.
8 Well it was put to the side to be disposed of and then they went back and got it and put
9 it on. That was after I left.

10 **CAPT Phillips:** And how long did your discussion take?

11 **WIT:** Generally I think we talked 45 minutes, 30, 45 minutes.

12 **CAPT Phillips:** And who was coming on to replace you?

13 **WIT:** Dave Ledet.

14 **CAPT Phillips:** So they came, you said that was at 0600?

15 **WIT:** Yes, ma'am.

16 **CAPT Phillips:** And did you do the turnover right away?

17 **WIT:** Yes, ma'am.

18 **CAPT Phillips:** And what time do you think you left the boat?

19 **WIT:** I think probably about, I figure about 0700 we left.

20 **CAPT Phillips:** And how did the other crew appear to be feeling?

21 **WIT:** Normal.

22 **CAPT Phillips:** Before you left was there a meeting with the new crew? Did they all
23 get together and talk about anything?

1 **WIT:** As far as? Repeat the question please.

2 **CAPT Phillips:** The new crew, the folks that replaced you and your crew did they get
3 together to have a meeting?

4 **WIT:** Oh yes, ma'am. We generally do turnover. Not all the crew members, but
5 generally the officers, all the officers will and a lot of times the crane operators do.

6 **CAPT Phillips:** Did they have that meeting before you left?

7 **WIT:** Yes, ma'am.

8 **CAPT Phillips:** Did you hear anything that was discussed there?

9 **WIT:** As far as, no. I was holding my turnover with my relief. It kind of works out where
10 everybody does their turnover with their relief individually. It's not like a group meeting
11 and we all get together.

12 **CAPT Phillips:** I see, okay. Thank you. And how about the orientation of the vessel?
13 Orientation for the folks that were riding along, did they do that before you left?

14 **WIT:** No, ma'am.

15 **CAPT Phillips:** That was after you left?

16 **WIT:** Yes, ma'am, I'm sure.

17 **CAPT Phillips:** When you did those orientations for riding crews did you have a script
18 that you followed?

19 **WIT:** Yes, ma'am. We have a printout that I generally go by.

20 **CAPT Phillips:** Is that something that was part of a safety management system or did
21 you just have that?

1 **WIT:** I believe that specific one that I did was something that I specifically came up
2 with. Because I think each Captain has their pet peeves per se and kind of goes over
3 those as well.

4 **CAPT Phillips:** So you put that together yourself?

5 **WIT:** Yes, ma'am. Using of course the guidelines that we have for the vessel. In
6 addition to those I would put my pet peeves in per se.

7 **CAPT Phillips:** Okay. Can you just hit on some of the high points of what types of
8 things you would like to cover usually?

9 **WIT:** Sure. We would go over emergency – emergency drills. I like to sound each
10 alarm so they get familiar with what the alarm is and where they're supposed to go
11 during those alarms. As well as where they're not supposed to go as far as the off –
12 where they're not supposed to be on the vessel like the galley and engine rooms,
13 cranes, just where they're not supposed to be and where they are supposed to be.

14 **CAPT Phillips:** Thank you. How was the weather when you got up that morning and
15 you left that morning?

16 **WIT:** It was good.

17 **CAPT Phillips:** Did you see a weather forecast for that day?

18 **WIT:** No, ma'am.

19 **CAPT Phillips:** Had you checked the weather on your own like on your phone or
20 anything?

21 **WIT:** Honestly I didn't. I knew I was going home. At that time the weather I'm looking
22 for is it going to rain and keep me from doing anything that I wanted to do at the house.

23 **CAPT Phillips:** In your turnover with Captain Ledet did you talk about weather at all?

1 **WIT:** No, ma'am I don't think we did.

2 **CAPT Phillips:** When you were underway on the SEACOR POWER how would you
3 get your weather reports?

4 **WIT:** We have an App, Buoy Weather. I also use the office forecast. And then you can
5 also load, you can if you have internet, good internet you can go to NOAA, there's
6 several sources on the internet that you can use.

7 **CAPT Phillips:** And the Buoy Weather App was that on a computer, a ship's
8 computer?

9 **WIT:** Actually I had it on my phone and the computer.

10 **CAPT Phillips:** That's something provided by the company?

11 **WIT:** Yes, ma'am.

12 **CAPT Phillips:** And when would you get the forecast from the office?

13 **WIT:** We would get them in the morning. Sometimes in the afternoon. Basically
14 anytime we requested one as well.

15 **CAPT Phillips:** Were there certain set times did you get them?

16 **WIT:** Generally they, yes, ma'am. Early morning about I would say it ranged differently
17 for different dispatches, but generally between 6 and 8 a.m. I would say.

18 **CAPT Phillips:** Would you always get them in the afternoon?

19 **WIT:** I can't say we'd always get them in the afternoon, ma'am.

20 **CAPT Phillips:** And you said you could make a request to get an additional forecast?

21 **WIT:** Yes, ma'am.

22 **CAPT Phillips:** How would you do that?

23 **WIT:** Just call dispatch.

1 **CAPT Phillips:** And then can you tell us about some of the bridge equipment that you
2 could use to get weather reports?

3 **WIT:** Yes, ma'am. We have NAVTEX, VHF.

4 **CAPT Phillips:** How would you get a report over VHF?

5 **WIT:** Well the marine broadcast if there's like an emergency. And then there's also
6 weather 7, on VHF.

7 **CAPT Phillips:** And the NAVTEX receiver would that print out weather reports or
8 would that be a display on a screen?

9 **WIT:** It's a display on the screen. But we also have the ability to print it if you hit print.

10 **CAPT Phillips:** Can you give us a sense for how often you use the NAVTEX?

11 **WIT:** How often I printed it? Not very often.

12 **CAPT Phillips:** How often would you look at it?

13 **WIT:** Generally if there was something concerning.

14 **CAPT Phillips:** And for you – your personal level of concern what would be concerning
15 as far as weather goes?

16 **WIT:** Well it depends on, there's some variables to that. That would be if whether I'm
17 underway or if I'm about to get underway or if I'm jacked up and not intending to move.
18 Those would be different. But if I was about to get underway and expected to be
19 underway for any length of time anything outside of the operational parameters of the
20 vessel of course is going to concern me.

21 **CAPT Phillips:** And how about if you were already underway?

1 **WIT:** If I was already underway and the weather was in front of me before I completed
2 my voyage I would start looking at that time, depending on how far I was, I would start
3 looking for a place to jack up.

4 **CAPT Phillips:** Thank you. And you said you could call dispatch if you needed a
5 weather update. Would you ever get weather updates from the company outside of the
6 normal times?

7 **WIT:** I would say yeah if there was anything concerning to them as well they would
8 send it. Yes.

9 **CAPT Phillips:** Okay. Were there specific policies on the vessel with regard to
10 weather? Did you have any kind of written procedures that said if the weather does this
11 you should do that? Or if the weather, any kind of guidance?

12 **WIT:** Yes, ma'am. You always abide by the operational guidelines of the operations
13 manual. So anything, of course when you reach 5 foot seas, that's the cap. Weather
14 as far as winds there's a lot of variables to that depending on which direction it's coming
15 from, how far away from land you are, currents. So there's really – I can say that you're
16 never going to reach – you're never going to be continuing the run to the full operation
17 and guideline and far as wind goes on that vessel.

18 **CAPT Phillips:** Tell me more about that. Why not? Why wouldn't you get to the full ---
19 --

20 **WIT:** Well because I don't think in 70 mile an hour wind you could control the vessel. In
21 other words if it's a head wind you're not going to make way. If it's a tail wind you're not
22 going to be able to control it. So you're just not going, not going to continue and

1 regardless at 70 mile an hour winds, or 70 knot winds the seas are going to build
2 rapidly. So you're never going to make it very long in that type of wind anyway, so.

3 **CAPT Phillips:** Where is that threshold of wind when you would say you know what I
4 can't keep going with these winds?

5 **WIT:** I'm going to say, again there's so many variables to that but if it's – if you're in
6 protected waters, in other words if it's a Northerly wind and you're riding close to the
7 beach it would be higher than if I'm catching a South, a Southern wind in 80 or 100 foot
8 water. Of course your ground swells are going to grow a lot faster. So wind is one thing
9 of all of it that you look at.

10 **CAPT Phillips:** How strong would the wind have to be where it would stop your
11 forward momentum?

12 **WIT:** I can't say stop, but a good indication is my previous voyage in we was coming in
13 and again we were catching winds and seas out of the Southeast and it was just a
14 summer squall immediately came out of the North and we were receiving wind probably
15 35, 40 I think at one time up at the peak and it was 48, so I was down to like 2 knots and
16 was just no sense in continuing to burn fuel. So I cleared up I got into a safe jacking
17 location and put it in the air.

18 **CAPT Phillips:** And that was the previous voyage where you lost the life raft?

19 **WIT:** Yes, ma'am.

20 **CAPT Phillips:** Was that that same incident?

21 **WIT:** Yes, ma'am. Well the winds again, when the winds switched out everything, all
22 the damage that we received on that vessel was out of the Southeast. It was catching
23 me abeam on the starboard side. And the wind gusts came out of the North.

1 **CAPT Phillips:** Can you tell me a little more about what you remember from that
2 incident? Had you seen a forecast that day?

3 **WIT:** Actually initially they, the Mate had woke me up about 3 a.m. because it was
4 getting some water coming in a vent. And he wanted me to put the vent on a lee side
5 which I did. And they were able to close the vent. And then when I got back up at 06 I
6 want to say the winds at that time were still Southeast 20 to 25 with about 3 to 4, maybe
7 3 to 5 foot ground swell. And before the squall hit coming out of the North.

8 **CAPT Phillips:** Did you know there was going to be a squall that day?

9 **WIT:** No, ma'am.

10 **CAPT Phillips:** So it wasn't reflected on any morning weather report?

11 **WIT:** No, ma'am.

12 **CAPT Phillips:** Did you ever hear any warnings that that squall was coming?

13 **WIT:** No, ma'am.

14 **CAPT Phillips:** And so you said the winds got up to 35 to 40 knots you said you jacked
15 up?

16 **WIT:** Yes, ma'am.

17 **CAPT Phillips:** Did you have any trouble with those kinds of winds jacking up?

18 **WIT:** No it was no problem putting it in the air when you have winds.

19 **CAPT Phillips:** Any problem with those swells? You said it was 3 to 5.

20 **WIT:** Well actually because the wind had switch out of the North it started knocking the
21 tops off the swells. Made it a little bit easier.

22 **CAPT Phillips:** And with that kind of wind it wasn't pushing you around too much when
23 you were trying to drop the legs?

1 **WIT:** Oh no ma'am. That's a heavy vessel. She's pretty stout.

2 **CAPT Phillips:** That's helpful, thank you. How often when you're operating on a lift
3 boat in the Gulf do you see thunderstorm warnings?

4 **WIT:** They happen quite often. How often you hear about them? Usually you get a
5 whole lot of warning unless, again it comes across 16 it's going to be the Coast Guard
6 will announce go to 22A and receive that notice that way. Or you're just looking for it.
7 Generally we get an extended forecast also when we Buoy Weather so you pretty much
8 know when the winds are going to increase and decrease. But as far at that quick
9 summer squalls generally don't have much notice.

10 **CAPT Phillips:** Do you get worried about thunderstorms rolling through?

11 **WIT:** It's something that peaks your interest, yes, ma'am.

12 **CAPT Phillips:** Can you walk us through what kind of situations you would jack up
13 based on the forecast?

14 **WIT:** Again anytime you're going to reach the cap of 5 foot, or sometimes maybe even
15 earlier than that. Again there's even sea conditions, there's different types of sea
16 conditions that effect the vessel differently. If you got a 3 foot ground swell with a 2 foot
17 chop on top of it that boat don't really feel it that much. But if you've got a 4 or 5 foot
18 ground swell and it's separated far enough apart then she'll start rolling. So again
19 there's so many variables to it you can set anything on.

20 **CAPT Phillips:** Would you jack up every time there was a thunderstorm passing you?

21 **WIT:** No, ma'am.

22 **CAPT Phillips:** The anemometer do you know where the bird was? Where it was
23 kept?

1 **WIT:** On the mast, yes.

2 **CAPT Phillips:** Is it right on top?

3 **WIT:** I think it was out on the extension of the mast.

4 **CAPT Phillips:** Any idea how high up that would be?

5 **WIT:** From the deck?

6 **CAPT Phillips:** Or above the pilot house.

7 **WIT:** Above the pilot house. Probably 8 feet.

8 **CAPT Phillips:** Was it on the port or starboard?

9 **WIT:** Port I believe.

10 **CAPT Phillips:** So you started to tell me a little bit about a situation where she might
11 roll if you had a full 5 foot swell. Tell me a little more about how the SEACOR POWER
12 normally handled with rolls or heaving or yawing or anything like that?

13 **WIT:** Well again she was a heavy vessel. So a ground swell affect her more as far as
14 rolling than a short chop. A lot of times winds that would pick up fast create that short
15 chop and she plows right through it. So it don't affect you as much. But you get more
16 water on the deck. So it's kind of.

17 **CAPT Phillips:** And if she was rolling because of a ground swell, I mean how quickly
18 did she roll?

19 **WIT:** It was slow. It would be slow.

20 **CAPT Phillips:** And about how much?

21 **WIT:** I would say, I never really just watched it, but I would say anywhere from a half to
22 one and a half degrees.

1 **CAPT Phillips:** How about if you were going into the – into some swells. Would she
2 heave?

3 **WIT:** Again depending on how far apart they are. You know that's the biggest variable
4 on that. If she did that would be a concern. Also if they're together you just plow right
5 through them so it's not as big of deal. But then you have the whip effect of the legs
6 that you have to be concerned about upon impact of the swells. So there's several
7 different factors you look at.

8 **CAPT Phillips:** Tell me more about the whipping effects.

9 **WIT:** Okay. Generally if you're going directly into the seas the impact of the hull into
10 the wave which it forces your legs to start whipping. If you get a sequence of waves,
11 you never want to get into a sequence of waves where the timing is, it can get worse.
12 So of course at that time you just – if you can continue safely then you just want to turn
13 one way or the other and cut them with the bow.

14 **CAPT Phillips:** And if that happened could you look up and watch it?

15 **WIT:** Oh you can see it. You can feel, you can see it, absolutely.

16 **CAPT Phillips:** How much would it go back and forth would you say?

17 **WIT:** Well it's not something I could do, allow it to continue, so as soon as you start
18 seeing it and feeling then you want to do something different to change it.

19 **CAPT Phillips:** Good. What did it feel like in the pilot house?

20 **WIT:** Almost like somebody's pushing you from behind. It's just the momentum.

21 **CAPT Phillips:** And could you get whipping, so it sounds like you're describing
22 whipping forward and aft.

23 **WIT:** Yes, ma'am.

1 **CAPT Phillips:** Could you get whipping side to side?

2 **WIT:** I've never received whipping side to side.

3 **CAPT Phillips:** What was the biggest list you ever experienced on the SEACOR
4 POWER?

5 **WIT:** While underway?

6 **CAPT Phillips:** While underway.

7 **WIT:** I don't know for sure. I would estimate again 1 ½ maybe 2 degrees at most.

8 **CAPT Phillips:** And that would have been a normal roll?

9 **WIT:** Yes, ma'am. That would be when we're rolling.

10 **CAPT Phillips:** How about when you were jacking down the legs, would she list when
11 you were jacking down?

12 **WIT:** No, ma'am. I mean it could if you got – if you allowed one leg to go extremely far
13 away from the other it could affect the stability that way. But I never, as far as keeping –
14 as long as the sequence of the legs were going together you're not – it's not going to
15 cause a list.

16 **CAPT Phillips:** And they normally operated together?

17 **WIT:** Yeah, relatively close. None of them are exact same. But I would say I would
18 estimate over, if I was jacking up in 150 foot of water you know you may get a leg that's
19 3 or 4 feet away from the other one.

20 **CAPT Phillips:** Would you ever jack the legs down while the boat's moving?

21 **WIT:** Well you can start jacking. I would never want to touch bottom while underway
22 because you could damage them.

23 **CAPT Phillips:** Did you ever jack down and turn at the same time?

1 **WIT:** Start jacking and then, yes, ma'am. I've maneuvered the vessel all around many
2 structures while jacking.

3 **CAPT Phillips:** Any troubles?

4 **WIT:** No, ma'am.

5 **CAPT Phillips:** What was your normal forward speed on the SEACOR POWER?

6 **WIT:** She wasn't that fast. Anywhere from 3 ½ to maybe 5 knots if you had a good tail
7 wind.

8 **CAPT Phillips:** What was the fastest you ever saw her go?

9 **WIT:** I think I got up to 6 knots one time.

10 **CAPT Phillips:** Do you remember how – what kind of conditions that was in?

11 **WIT:** Had a strong trailing current and maybe a little wind aft.

12 **CAPT Phillips:** If you had winds kick up while you were underway would it force the
13 vessel turn at all?

14 **WIT:** No, ma'am.

15 **CAPT Phillips:** Would it force the vessel to trim at all?

16 **WIT:** Yeah wind if you catch it, not so much as trim, I would say if you catch it abeam it
17 can make boat lean for sure.

18 **CAPT Phillips:** How strong would it have to be to really start listing you?

19 **WIT:** I've seen it, again in 25, 30 mile an hour winds she'll start listing a little bit. Not
20 much. But recognizable.

21 **CAPT Phillips:** Say that last part again, sorry.

22 **WIT:** Recognizable. Somewhat, yes.

1 **CAPT Phillips:** You said on the previous voyage you stopped and jacked up because
2 of the weather. How often would you say that kind of thing would happen where you
3 have to stop an underway transit because of weather?

4 **WIT:** It's quite common on lift boats. We're, again because it's so slow and if we're
5 taking a long voyage you may jack up two or three times in one voyage to make it to
6 destination.

7 **CAPT Phillips:** Shifting gear a little bit when you're talking a little bit about getting the
8 boat ready to get underway when you get on board and get ready to get underway who
9 sends in a report that says how many people are on board?

10 **WIT:** Generally I do.

11 **CAPT Phillips:** When do you normally send that?

12 **WIT:** Just prior to getting underway. Or you could delegate that also. But generally it
13 was us.

14 **CAPT Phillips:** And does that include a list of names as well?

15 **WIT:** Not generally.

16 **CAPT Phillips:** Just the number?

17 **WIT:** Yes, ma'am.

18 **CAPT Phillips:** Is that you walking around counting them up or do you take report from
19 people when they come on, or?

20 **WIT:** Well that's from the initial orientation. When you have your orientation with
21 everybody on board you're going to know how many people you have.

22 **CAPT Phillips:** And who's normally in charge of the loading cargo on deck?

23 **WIT:** Crane operators.

1 **CAPT Phillips:** Can you walk me through a little bit about how that would work?

2 **WIT:** Sure. Basically jack up just, we don't elevate the boat all the way out, just touch,
3 what they call soft tag at the dock. And they'll start, truck will back up to the bow of the
4 boat, the crane operators will, generally you have riggers from the contractors for the
5 equipment that it belongs to and they'll start. They'll rig or the crane operator will lift the
6 equipment and generally we'll assign somebody else to go on the deck and take the
7 numbers down and placement of the cargo. And then write a report with that
8 information saying how much it weighed and where it's going.

9 **CAPT Phillips:** And how would you figure out how much it weighed?

10 **WIT:** Well they've got weight indicators the crane. The crane operator would holler
11 down to the guy and let him know.

12 **CAPT Phillips:** And who would you normally assign to take down those numbers?

13 **WIT:** It really depends on who I had available. It would be my most senior guy that was
14 available at the time.

15 **CAPT Phillips:** And then what format would they put that in?

16 **WIT:** I had a deck layout, schematic of a deck basically. And they could place it on that
17 and then some of the guys some would also just write it on a pad. It did vary. And I
18 would have to later the transfer onto the picture by going out and measuring the
19 transverse locations.

20 **CAPT Phillips:** And you would do that?

21 **WIT:** Yes.

22 **CAPT Phillips:** And once you had that information what would you do with it?

1 **WIT:** On my shift I was pretty fortunate my Engineer was very good at our stability
2 program. And he handled it a lot of the times. But if he was busy I would take care of it.

3 **CAPT Phillips:** Can you walk us through that stability spreadsheet, what it looked like,
4 what you put in?

5 **WIT:** Sure. Of course the first page you put all your consumables, water, fuel. And
6 then you had the cargo area you put all the cargo on it and where it's placed on the
7 deck, the height of cargo and the weight of course. All that would figure into the stability
8 and give you the outcome at the end.

9 **CAPT Phillips:** And what would it – what was the outcome? What did it look like?

10 **WIT:** Well what you're looking for is you're looking to get your draft. What that's going
11 to do is that's going to tell you well your stability and your draft. It's going to tell you how
12 you're going to ride and then we jack down and you take your draft readings. It will
13 confirm that the – that your stability was good or not. And that's pretty much it. If
14 something isn't right then you just elevate again and have to shift equipment.

15 **CAPT Phillips:** So once you entered all the information in the spreadsheet it will give
16 you drafts that you would expect to see?

17 **WIT:** Yes.

18 **CAPT Phillips:** Would it give you anything else?

19 **WIT:** Well it will give you where your trim is also.

20 **CAPT Phillips:** Okay. And then did it have like a green or red to say it's within stability
21 criteria or not?

22 **WIT:** Well it – anytime you could never be down by the bow. That was a red line for
23 sure.

1 **CAPT Phillips:** Anything else?

2 **WIT:** No just not having excessive trim or heel.

3 **CAPT Phillips:** What would be excessive?

4 **WIT:** I would say as far as, you want to get the boat as level as possible. So I would
5 say anything more than 3 to 6 inches. Because she's always going down by the stern
6 though.

7 **CAPT Phillips:** Did you do any work on that spreadsheet of the morning of the 13th?

8 **WIT:** Stability, no, ma'am.

9 **CAPT Phillips:** And would the cargo normally get tied down before getting underway
10 out on deck?

11 **WIT:** It depends. If you're on a long, I liked to secure it on a long voyage. But it all
12 depends on what it is. If it's heavy, there's a lot of variables to that.

13 **CAPT Phillips:** What do you consider a long voyage?

14 **WIT:** Umm anything more than I would say an 8 or 10 hour voyage would probably be
15 considered a lengthy one because you don't know if you're going to make it all the way
16 before the weather. Whatever the extended, it depended on the weather forecast also.
17 If the weather was going to be extremely good and it there was no issues with it a lot of
18 times it's not done.

19 **CAPT Phillips:** And was that pretty typical for other lift boats you worked on as well? It
20 was used sometimes but not all the time?

21 **WIT:** I think that's the general consensus, yes.

22 **CAPT Phillips:** And you talked to us about when you jacked down you can compare
23 the drafts from the stability program to the actual drafts.

1 **WIT:** Umm huh.

2 **CAPT Phillips:** Who would take the draft mark, the draft readings?

3 **WIT:** Chief.

4 **CAPT Phillips:** And then the Chief would give them to you or?

5 **WIT:** Yes, ma'am.

6 **CAPT Phillips:** Okay. And what were the typical numbers you saw on the SEACOR
7 POWER for drafts?

8 **WIT:** Well it was, I would say, because the stern is – its draft is a lot higher in numbers
9 due to the underwater gear. It starts at 4 feet at the bottom of the hull. So those
10 numbers, you've got to subtract that out for stability in order to calculate that. You get
11 your mean draft. I would say 15, 14, 14 feet on the stern. And depending on equipment
12 I would say, depending on how much equipment you had, but you could see numbers in
13 8ish on the bow, 7.

14 **CAPT Phillips:** And you said you subtract out 4 feet from the stern number?

15 **WIT:** Yes, ma'am.

16 **CAPT Phillips:** So if you had 8 foot on the bow and 14 feet on the stern she would
17 have 2 feet of aft trim?

18 **WIT:** Yes, ma'am.

19 **CAPT Phillips:** Is that pretty normal?

20 **WIT:** I would say so, yes.

21 **CAPT Phillips:** What would be too much? Where you would readjust the cargo?

22 **WIT:** Really I would say, you're going to look at it, you're going to see it. But as far as
23 your draft it's something we just see and you realize that there's a problem. It's not

1 really just a number that you're looking at. You know from the experience on the vessel
2 that you know she's listing and then you're going to handle it before you even take draft
3 readings. A lot of times the Engineer wouldn't even take the draft readings until we was
4 ready to go. That I felt the boat was right then we would take our draft readings and do
5 that. And that would be the final number. So we're not necessarily, what I'm saying is
6 we're not always waiting on numbers to make an assessment. We're making an
7 assessment immediately when you start jacking down.

8 **CAPT Phillips:** I see. So you said if there was a list you would readjust. What about
9 with the trim, would you readjust to move cargo forward if there was too much trim?

10 **WIT:** Yes, absolutely. That – we always like to get the heaviest cargo on the front
11 because that's where all our buoyancy is.

12 **CAPT Phillips:** How much freeboard would you normally have back aft?

13 **WIT:** Again probably a couple feet.

14 **CAPT Phillips:** Okay. So we walked through all the stability and cargo preps before
15 getting underway. What else would you do prior to getting underway?

16 **WIT:** All of our pre-departure checklist as far as our JSA's, toolbox talks for the crew.
17 As far as contractors go of course you've got to do your orientations. And your drills,
18 cover that.

19 **CAPT Phillips:** You said you have a pre-departure checklist?

20 **WIT:** Yes, ma'am.

21 **CAPT Phillips:** Is that part of the safety management system?

22 **WIT:** Yes, ma'am, it is.

1 **CAPT Phillips:** And so you would follow that when you were getting ready to get
2 underway?

3 **WIT:** Yes.

4 **CAPT Phillips:** And then would you log that all or record anything or write down the
5 checklist?

6 **WIT:** It's on its own sheet so you have to check it off and sign off on it.

7 **CAPT Phillips:** And then what happens to it once you sign off on it?

8 **WIT:** It gets filed.

9 **CAPT Phillips:** On the boat?

10 **WIT:** Yes, ma'am. I put it in the job folder along with your stability and everything else
11 that goes in the job folder.

12 **CAPT Phillips:** That's all hard copies?

13 **WIT:** Yes, ma'am.

14 **CAPT Phillips:** It's not computer?

15 **WIT:** Well your stability is done on computer. So we save a copy of that as well. But
16 then you print it out and place a copy of it in the job folder.

17 **CAPT Phillips:** Okay. Did the ship have a bridge log?

18 **WIT:** Yes.

19 **CAPT Phillips:** And would you put anything in there before you got underway?

20 **WIT:** Would I log that we did in pre-departure?

21 **CAPT Phillips:** Any of those things that you talked through.

1 **WIT:** I would, generally you could put that you completed the pre-departure, got
2 underway at whatever hour. We didn't go into detail on everything you did in the deck
3 log.

4 **CAPT Phillips:** Okay. But just a quick note?

5 **WIT:** Yes, ma'am. Maybe just a quick note.

6 **CAPT Phillips:** Did you prepare passage plans?

7 **WIT:** Yes, ma'am.

8 **CAPT Phillips:** Before getting underway?

9 **WIT:** Voyage plans, yes, ma'am.

10 **CAPT Phillips:** What did those look like.

11 **WIT:** We had a Rose Point on board so you did your voyage plan on that. And you put
12 all the equipment, or all the manuals that you used to come up with it. Channel,
13 channels on VHF that you're going to standby on. Any hazards that may be along the
14 route. All that's going to be logged in that as well. And then you print out at each fix
15 that you have along the way. You print that out and that's what goes in the job folder as
16 well.

17 **CAPT Phillips:** You would print out what the fixes were or you would print out once
18 you got to the fixes?

19 **WIT:** No you print out all of it.

20 **CAPT Phillips:** Okay.

21 **WIT:** And put it in the job folder.

22 **CAPT Phillips:** Got it. And would you do that as the Captain or would you ask
23 somebody else to do that?

1 **WIT:** A lot of times the Mate took care of that.

2 **CAPT Phillips:** Would you look at it once it was done?

3 **WIT:** Oh yes, ma'am.

4 **CAPT Phillips:** And how about the watertight doors, what would you do to the
5 watertight if you were getting underway?

6 **WIT:** Well that's all part of our orientation. Let the guys know that once the vessel
7 jacks down and gets underway that nobody is allowed out on the main deck. If they
8 want to smoke or whatever they've got to go out on the landings on the O1 or O2 levels.
9 They can smoke out there. But other – you're not allowed on the main deck at all while
10 underway.

11 **CAPT Phillips:** And that's normal procedure regardless of any weather?

12 **WIT:** Yes, ma'am.

13 **CAPT Phillips:** So who would go through and close all the doors before getting
14 underway?

15 **WIT:** It would, again that would depend. We would just call down. Generally the AB's
16 would go around and make sure that it's all secured. Sometimes the Chief would follow
17 it up depending on his schedule.

18 **CAPT Phillips:** And would somebody have to report to you to say they were closed?

19 **WIT:** Yes, ma'am. Absolutely.

20 **CAPT Phillips:** And that was before you left the dock or as you were – before you went
21 outside the jetties?

1 **WIT:** No generally that, before I jack down that's part of the process. And I make and
2 announce that we were about to get underway transiting the lower level ward and all
3 that.

4 **CAPT Phillips:** Were there any doors that they would have to be open because of heat
5 or humidity or anything like the galley or the engine room?

6 **WIT:** No, ma'am.

7 **CAPT Phillips:** Did you have standing orders?

8 **WIT:** Yes, ma'am.

9 **CAPT Phillips:** And were those Captain specific?

10 **WIT:** Yes. Well actually I think Dave and I both shared the same ones.

11 **CAPT Phillips:** What did they say?

12 **WIT:** Just gave orders as to what to expect as far as your relief and Mate, when he is to
13 call you. Whether it be CPA, too close CPA, less than a half of a mile CPA to any
14 structural or vessel. Weather conditions. Anything of concern as far as weather they
15 were to wake you up. Any issues that they're unfamiliar with or need assistance they
16 can call you. Just anything basically.

17 **CAPT Phillips:** And just for the record CPA is closest point of approach?

18 **WIT:** That's correct.

19 **CAPT Phillips:** Thank you. When you got underway did you have a dedicated lookout
20 separate from who was operating the helm?

21 **WIT:** Yes, ma'am, always.

22 **CAPT Phillips:** And who was that?

23 **WIT:** We would, it would generally be one of the crane operators or an OS.

1 **CAPT Phillips:** And where would they stand lookout from?

2 **WIT:** Just one side of the bridge or the other.

3 **CAPT Phillips:** And were they always on lookout wherever you were transiting or just
4 in certain areas?

5 **WIT:** Oh no, ma'am, you've always got to have two in the wheelhouse at all times.

6 **CAPT Phillips:** Lieutenant Alger would you bring up Exhibit 202 please [showing
7 Exhibit]. We've seen a couple pictures looks like maybe sometimes there were things
8 stored behind the pilot house. Can you bring up picture 294 please? And then 295. Do
9 you know what was in the white bag? This was taken a while back. I don't know if
10 that's always there or if that's just sometimes there.

11 **WIT:** Yes, ma'am. Those were spare washers and dryers.

12 **CAPT Phillips:** Were they on there all the time?

13 **WIT:** No, ma'am. We was – anytime we were expecting to go to Mexico we started
14 bringing on extra in case there was a problem while we were out of the country.

15 **CAPT Phillips:** Were there other things stored up in this area on a regular basis?

16 **WIT:** No, ma'am.

17 **CAPT Phillips:** Thank you Lieutenant Alger. I heard you say that one of the things you
18 discussed in orientation is the alarms and you would sound the alarms for people to
19 show them what they sounded like. What kind of alarms did the vessel have?

20 **WIT:** Well they've got the general alarm. That was for all emergencies. And then it
21 had a separate fire alarm that you could sound. And then it had the tilt alarm, that was
22 a separate sound in itself.

23 **CAPT Phillips:** And were all of those on the same system?

1 **WIT:** No, ma'am. It's – the general alarm is a separate system. Although if you
2 activate the fire alarm it will also activate, I think after 2 minutes it activates the general
3 alarm as well.

4 **CAPT Phillips:** And do all of those sound in the same places or are there different
5 places where you can hear those alarms?

6 **WIT:** I think they're – I think they're all generally in the same locations.

7 **CAPT Phillips:** Now there's speakers throughout the superstructure where those
8 alarms come through?

9 **WIT:** Yes, ma'am.

10 **CAPT Phillips:** Are they inside the cabins or in the hallways?

11 **WIT:** They're inside the hallways.

12 **CAPT Phillips:** So they're not in the room?

13 **WIT:** Right.

14 **CAPT Phillips:** And we heard somebody say Gai-Tronics. Can you tell me more about
15 that?

16 **WIT:** Yes it's just a basically a loud speaker throughout the vessel that you can
17 communicate both ways.

18 **CAPT Phillips:** Both ways so somebody can communicate to you?

19 **WIT:** Yes, ma'am. They can go to the other side, they can pick it up and you can
20 speak both ways.

21 **CAPT Phillips:** Where were those stations around the vessel where you could call in?

22 **WIT:** They're also in the hallways. And also in the lounges. And also actually had a –
23 had one out on the deck also. Near the crane pedestal.

1 **CAPT Phillips:** What type of radios were on the vessel?

2 **WIT:** As far as?

3 **CAPT Phillips:** You talked before about a VHF radio. So she had one of those.

4 **WIT:** Yeah we had several, we a couple VHF's. We had – we also had a bunch of
5 portables for communication, vessel communication with each other.

6 **CAPT Phillips:** Okay. So VHF, the little handheld you said?

7 **WIT:** Yes, ma'am. In addition to.

8 **CAPT Phillips:** How often did you conduct drills?

9 **WIT:** Drills is something you do quite often with fire and abandon ship is anytime you
10 change crew, new contractors and also we had a drill matrix that we had to follow. So
11 basically you had to cover, you covered multiple of each throughout the month. We had
12 a 30, 60 and 90 day drill matrix and they all have to be covered within the time
13 parameters.

14 **CAPT Phillips:** And who decided when to run the drills?

15 **WIT:** I did.

16 **CAPT Phillips:** Where did those get logged?

17 **WIT:** Yes, ma'am, they got logged in the deck log as well as the drill matrix sheet. And
18 you had to also write a meeting form that everybody signed.

19 **CAPT Phillips:** Is the drill matrix on the computer or handwritten?

20 **WIT:** It's on the computer. But then we print it out and post it to keep a visual on what's
21 upcoming or what's needed.

22 **CAPT Phillips:** And you said you would typically run a fire and abandon ship drill with
23 the new contractors. When would you do that usually?

1 **WIT:** Usually when they arrived. Just to get them familiar with their muster station,
2 where they're expected to be.

3 **CAPT Phillips:** Who is in charge of maintaining the lifesaving equipment?

4 **WIT:** Generally the crew. As far as upkeep.

5 **CAPT Phillips:** Was one person designated to go do checks?

6 **WIT:** I can't say we – we would designate. Generally the Mate was handling most of it
7 as far as safety equipment. He would handle that. But he would also designate to the
8 crane operators especially if they were familiar with it.

9 **CAPT Phillips:** How about the SART, the search and rescue transponder, who was in
10 charge with checking that?

11 **WIT:** The Mate generally did that.

12 **CAPT Phillips:** So would the Mate also be the one responsible for testing it?

13 **WIT:** Yes.

14 **CAPT Phillips:** Do you know how often those get tested?

15 **WIT:** Every 30 days.

16 **CAPT Phillips:** Who was responsible for checking the watertight doors and what
17 condition they were in?

18 **WIT:** Engineer handled most of that. But I think we all were. If you seen something
19 with a door that didn't look like anybody could report it and we would handle it. It's also
20 a part of our SIP to check them.

21 **CAPT Phillips:** You said SIP?

22 **WIT:** Yes, ma'am. Self-inspecting program.

23 **CAPT Phillips:** Do you know how often those checks were required?

1 **WIT:** That's every shift, every hitch.

2 **CAPT Phillips:** What type of support did you receive from the shore when you were
3 working for SEACOR?

4 **WIT:** It was good, real good.

5 **CAPT Phillips:** Did you ever have any trouble?

6 **WIT:** I didn't. I've been there long enough I think I earned their respect for the most
7 part and anything I needed they got for me.

8 **CAPT Phillips:** Which spaces had bilge alarms?

9 **WIT:** I'm sorry?

10 **CAPT Phillips:** Which spaces on the SEACOR POWER had bilge alarms?

11 **WIT:** The engine rooms, rudder rooms and, yeah engine rooms and rudder rooms.

12 **CAPT Phillips:** When was the last time you heard one of those alarms go off?

13 **WIT:** I've never heard an alarm other than testing them. I've never heard one of the
14 bilge alarms go off.

15 **CAPT Phillips:** Besides the bilge alarms were there other alarms that would go off on
16 a regular basis?

17 **WIT:** No, ma'am.

18 **CAPT Phillips:** Did you ever have any issues with leaking hatches or tank covers?

19 **WIT:** We have had them in the past, sure.

20 **CAPT Phillips:** Can you tell me more about one of the examples of an issue you had?

21 **WIT:** Sometimes the rain on the deck for the hatch rusts out and it can't make a good
22 seal. And once it gets to that point we just change them out.

1 **CAPT Phillips:** Were there any ongoing problems with any watertight doors on the
2 SEACOR POWER?

3 **WIT:** No, ma'am.

4 **CAPT Phillips:** Tank vents?

5 **WIT:** No, ma'am.

6 **CAPT Phillips:** Firefighting equipment?

7 **WIT:** No everything was good.

8 **CAPT Phillips:** Beside the issue you had with the life raft any issues with the lifesaving
9 equipment?

10 **WIT:** No, ma'am.

11 **CAPT Phillips:** If you jacked up next to a platform was the deck of the SEACOR
12 POWER considered a hazardous area?

13 **WIT:** A hazardous area?

14 **CAPT Phillips:** Umm huh. Because of hazardous fumes or explosive vapors coming
15 off of a platform where you jacked up next to?

16 **WIT:** I never looked at it as a hazardous location, no.

17 **CAPT Phillips:** Can you tell me about the emergency lighting on the boat?

18 **WIT:** Yeah it's – basically we've got an emergency generator for backup power. And
19 also it had batteries to illuminate until the emergency generator kicked in.

20 **CAPT Phillips:** Do you know when the last time it was tested while you were on board

21 **WIT:** I can't say for sure, but I know that's something as part of our SIP. It's done and
22 again every month.

1 **CAPT Phillips:** Do you remember having those test in the past? Would they darken
2 ship where they cut out the power?

3 **WIT:** Yes, ma'am.

4 **CAPT Phillips:** And then watched just to make sure your emergency lights went on?

5 **WIT:** Yes, ma'am.

6 **CAPT Phillips:** Did the legs or the pads have any high water alarms in them?

7 **WIT:** No, ma'am, not that I recall.

8 **CAPT Phillips:** How would you know if you're getting water in the legs?

9 **WIT:** You would feel it in your stability. It would list.

10 **CAPT Phillips:** Did you ever experience that on the SEACOR POWER?

11 **WIT:** No, ma'am.

12 **CAPT Phillips:** How fast would the SEACOR POWER jack up and down?

13 **WIT:** It was variable depending on how much throttle you gave it. But I would say
14 between 4 and 5 foot a minute.

15 **CAPT Phillips:** Overall would you say the vessel was well maintained?

16 **WIT:** Yes, ma'am, I do.

17 **CAPT Phillips:** Were there any outstanding maintenance items?

18 **WIT:** Other than rust prevention no.

19 **CAPT Phillips:** Any issues with the engines or any of the engineering equipment?

20 **WIT:** No, ma'am.

21 **CAPT Phillips:** Okay. Those are the questions that I have for now. We've been going
22 for a little while. So I would like to take a recess now. We'll reconvene at 0935. And

1 then the other Coast Guard and NTSB will have some questions for you. So the time is
2 now 0920. This hearing is now in recess.

3 *The hearing recessed at 0920, 10 August 2021*

4 *The hearing was called to order at 0935, 10 August 2021.*

5 **CAPT Phillips:** The time is 0935. This hearing is now in session. Thank you Mr.
6 Timmons I know there's a lot a questions. I'm going to turn it over now. I'll start with the
7 Coast Guard folks and see if the Coast Guard folks on board have some questions for
8 you. Mr. Lawrence.

9 **Mr. Lawrence:** Thank you Captain. Good morning Captain Timmons. So when you
10 were lowering the legs you said there was sometimes 3 to 4 foot difference when you
11 were jacking down. Did you know that on a leg counter or was that just?

12 **WIT:** Yes, sir. Leg counters.

13 **Mr. Lawrence:** And how did the handling of the SEACOR POWER change when the
14 legs were being lowered?

15 **WIT:** Of course the current is going to affect you a lot more. As the deeper you go with
16 the legs the more the current affects you. The less the wind does.

17 **Mr. Lawrence:** Does it change the rolling motion or anything if you're lowering?

18 **WIT:** Well of course because the legs are – have buoyancy it's going to start elevating
19 the boat as far as your draft.

20 **Mr. Lawrence:** Could you feel like the motion change on the boat when the legs
21 started lower? Could you like feel that draft change?

22 **WIT:** No so much, no.

1 **Mr. Lawrence:** How about when you were raising the legs, did you ever have trouble
2 getting them unstuck from the mud?

3 **WIT:** Absolutely.

4 **Mr. Lawrence:** What would you do to get them unstuck?

5 **WIT:** Well you just pull. You've just to pull on them until – they come.

6 **Mr. Lawrence:** Did they ever come out uneven like one would come first?

7 **WIT:** Well, generally not all of them come out at the same time. You're going to get
8 one unstuck and you'll raise it just above the surface or sometimes you may even set it
9 back into the mud a little bit to control roll when you're pulling on the other one.

10 **Mr. Lawrence:** So you could pretty well control the roll by changing the leg heights?

11 **WIT:** Absolutely.

12 **Mr. Lawrence:** So when you're in transit on the SEACOR POWER as they're really
13 close to the water surface, did that affect the handling of the vessel at all?

14 **WIT:** I'm sorry could you repeat the question?

15 **Mr. Lawrence:** So the pad kind of stick out from the side of the SEACOR POWER and
16 they were really close to the water surface. Did that affect the handling at all of the
17 vessel?

18 **WIT:** I wouldn't say it affected the handling, no.

19 **Mr. Lawrence:** So when you're on location and you're jacking down or going to soft tag
20 or something you're trying to stop the motion of the vessel, forward motion of the vessel,
21 right? So you're turning with just the engines, twin screwing when you direct the turn.

22 How fast could you turn the SEACOR POWER by twin screwing?

1 **WIT:** I couldn't tell you a degree per minute type thing. She handled well. But that
2 could depend on a lot of variables, whether it be wind, current, you know all of those
3 things.

4 **Mr. Lawrence:** If it was windy would you have to fight it to get it to turn?

5 **WIT:** Absolutely. Yes when the legs, wind catches the legs once you got abeam you
6 know she was harder to come around.

7 **Mr. Lawrence:** How much throttle would you typically use to twin screw?

8 **WIT:** I would say in a stern propulsion I try not to go over 50 percent. Forward
9 propulsion you could give it all if you wanted to.

10 **Mr. Lawrence:** Now I'm going to shift a little bit to just trim and stability. So you said
11 the rolls were between a half a degree and one and a half degree at the most when it
12 was floating. Was that just purely side to side rolling? Or could it kind of, I'm trying to
13 relate it to like a normal ship shape boat. So like a crew boat. Did it roll the same way a
14 crew boat would roll?

15 **WIT:** Well I think crew boats are a lot lighter so they're probably faster. Whereas, again
16 a lift boat she's heavy and it's a lot slower roll.

17 **Mr. Lawrence:** But it was mostly side to side?

18 **WIT:** Yes, yes. I mean we have some forward and aft in a bigger ground swell. But
19 again depending on what was going on. When you start – it was almost to the point, the
20 vessel is so large that almost by the time you started feeling that you were already at
21 your Captain it's time to get up type thing.

22 **Mr. Lawrence:** Did water ever come on deck as a result of rolling or pitching?

23 **WIT:** Yes.

1 **Mr. Lawrence:** And was it like wind driven waves coming on deck or was it swell, like
2 actually the deck went under?

3 **WIT:** A lot of times we had a chop it would crash and splash a lot of water. But
4 occasionally it, but the ground swell could peak the deck, sure.

5 **Mr. Lawrence:** Is it frequent? Was there like a normal spot on deck that it would come
6 over more typical than others?

7 **WIT:** No it would come, of course it didn't come on the bow because the bow was so
8 high. But generally if you were catching it off to your sides it would peak the deck.

9 **Mr. Lawrence:** And what would it feels like with a following sea? So if the waves were
10 coming from behind you how would that change the characteristics or if water was
11 coming on deck?

12 **WIT:** Generally with forward momentum you're not going to get as much water on the
13 deck. Because again you're going with them. But occasionally you could get some on
14 the very aft.

15 **Mr. Lawrence:** I think we were talking about rolls earlier. Can you estimate the amount
16 of time that it took to go from like all the way roll to starboard to all the way roll to port?
17 If you had to give me a number of seconds.

18 **WIT:** I would say 3 to 4 seconds.

19 **Mr. Lawrence:** Okay. You mentioned whipping before. Whipping of the legs. Did you
20 ever feel that in following seas or was it just head seas with big swells?

21 **WIT:** Again generally when you're heading into them.

22 **Mr. Lawrence:** If you had a strong wind would that ever cause whipping of the legs?

23 **WIT:** No, because that's a constant.

1 **Mr. Lawrence:** Okay, so it's just swell. Then you mentioned in your opening that you
2 had stability training Lafayette just before you had gone to POWER?

3 **WIT:** No this wasn't just before I went to POWER. This was many years ago and I
4 think it was like an 8 hour course. Just, it was a brief training. It wasn't very much.

5 **Mr. Lawrence:** Was there anything specific to lift boats in that training?

6 **WIT:** I think at that time they were trying to transition into lift boats but it was more
7 relative to MODU's. And then they had, of course they had scenarios. They had
8 incidents they would describe to you about previous accidents on lift boats and such like
9 that.

10 **Mr. Lawrence:** Is there a specific type of MODU that they talked about?

11 **WIT:** No. Again this was probably 20 years ago.

12 **Mr. Lawrence:** And what was your most prominent stability concerns with the
13 SEACOR POWER?

14 **WIT:** Of course I think it's typical of any boat it's your, you know getting caught abeam.
15 She's most unstable abeam.

16 **Mr. Lawrence:** So like abeam of seas or something?

17 **WIT:** Sure. And wind and all.

18 **Mr. Lawrence:** Thanks that's all I have.

19 **CAPT Phillips:** Thank you Mr. Lawrence. Mr. Verdin.

20 **Mr. Verdin:** Thank you Captain. Good morning Captain Timmons. Thank you for
21 being here. I have a few questions regarding GMDSS. You stated that you had
22 GMDSS training.

23 **WIT:** Yes, sir.

1 **Mr. Verdin:** Do you remember how many hours of training was that?

2 **WIT:** If I remember correctly it was approximately a 5 day course. So probably 40
3 hours.

4 **Mr. Verdin:** 40. It's usually about 70 hours, 10 days. Is that correct for GMDSS?

5 **WIT:** I don't recall. This was, I want to say '98, '95 somewhere around there.

6 **Mr. Verdin:** Yeah it's a lot like that. I took the same course. Do you remember some
7 of the functional requirements of the GMDSS systems, systems it not just one piece of
8 equipment, it's not you know just a console, it's the whole system, right?

9 **WIT:** Correct.

10 **Mr. Verdin:** Do you remember some of the functional requirements of that system? Off
11 the top your head, nothing specific, just off the top of your head?

12 **WIT:** Well what they are? I know that includes the EPIRB, your SART, your IMARSAT
13 C system, VHF, all of that is part of the GMDSS.

14 **Mr. Verdin:** Right. NAVTEX system as well.

15 **WIT:** NAVTEX.

16 **Mr. Verdin:** Okay. Do you remember the discussions of Sea areas, the topic of Sea
17 Areas?

18 **WIT:** I don't recall that.

19 **Mr. Verdin:** What Sea Area 1, Sea Area 2, Sea Area 3, Sea Area 4?

20 **WIT:** I'm familiar with it, I just don't – we don't change the function on it very often.

21 **Mr. Verdin:** Lieutenant Alger could you bring up Exhibit I think it's, Exhibit 202 please.

22 Exhibit 202, page 320 [showing Exhibit]. Maybe try 319, I'll come to 320 in a minute.

23 Can we zoom in, is there a way we can zoom on that tag on the left hand side of the

1 console right there? Alright. So this vessel, can you see that, this vessel was equipped
2 for Sea Area A3, correct?

3 **WIT:** Correct.

4 **Mr. Verdin:** A3 is primarily, I'm trying to refresh your memory here, as you know and I
5 know Sea Area 3 was global for the exception of the two Polar Regions, is that correct?

6 **WIT:** Yes.

7 **Mr. Verdin:** With Sea Area A4 being the Polar Regions which require additional
8 equipment, specific equipment for those. So Sea Area A3 included IMARSAT C system
9 as an option, is that correct? Do you remember that?

10 **WIT:** Yes.

11 **Mr. Verdin:** Okay. And because A3, Sea Area A3 was global with the exception of
12 Polar Regions one of the, and correct me again I'm trying to refresh your memory here
13 and you can agree with me or if you don't remember, or whatever. One of the
14 requirements for all seas area was in that [in audible] is that correct?

15 **WIT:** Yes.

16 **Mr. Verdin:** Alright so that was a general requirement for all vessels equipped with
17 GMDSS, correct? For the purpose of being able to receive navigational warnings,
18 weather warnings, and navigation safety information on the weather. And that only
19 goes out to 200 miles, approximately give or take some areas a little bit further than
20 others, correct?

21 **WIT:** Yes.

1 **Mr. Verdin:** Well one of the requirements is – isn't one of the requirements being able
2 to receive navigational safety information in other areas outside that region globally? Is
3 that one of the requirements for example?

4 **WIT:** It's my understanding it is, yes.

5 **Mr. Verdin:** So if you're traveling outside the IMARSAT coverage area one of the
6 requirements is that you are able to receive navigational safety information, weather
7 forecast, weather or weather warnings and that type of information outside the NAVTEX
8 receiving area, is that correct?

9 **WIT:** Correct.

10 **Mr. Verdin:** Which, okay Lieutenant can we back down? Do you see an IMARSAT C
11 system in that picture?

12 **WIT:** Yes.

13 **Mr. Verdin:** So the vessel is equipped with the IMARSAT C system?

14 **WIT:** Correct.

15 **Mr. Verdin:** Have you or received navigational warnings or any type of weather
16 information from the IMARSAT C system?

17 **WIT:** Yes.

18 **Mr. Verdin:** Do you remember the type of system that you got information from? What
19 was its particular name? It's okay if you don't remember.

20 **WIT:** I don't remember.

21 **Mr. Verdin:** Safety Net rings a bell?

22 **WIT:** I don't recall.

1 **Mr. Verdin:** In this IMARSAT system were you capable of selecting in general
2 geographic area?

3 **WIT:** Yes.

4 **Mr. Verdin:** You remember the Sea Area, or not Sea Area this is a navigational area,
5 what is called a Nav Area I believe it's called, do you remember the name of what area
6 was that?

7 **WIT:** I don't.

8 **Mr. Verdin:** Does Nav Area 4 ring a bell?

9 **WIT:** I looked at zones, yeah. I don't recall what it really was.

10 **Mr. Verdin:** And this would cover the Atlantic East Coast and the Gulf of Mexico, that
11 area 4.

12 **WIT:** Right.

13 **Mr. Verdin:** So you're familiar obviously with, excuse me. Let me rephrase that again.
14 So you're remembering some of the things that – what I've stated?

15 **WIT:** It's coming back. It's not something that we do all the time or mess with. So it's
16 not fresh.

17 **Mr. Verdin:** And granted I've taken that 70 hour course it was not one of my favorite
18 classes either. It starts talking about astrospheres and ionospheres and wave lengths,
19 it's very technical and for an operations it's a little bit more than what we need to be
20 exact. Can we go to, Lieutenant Alger to picture number 14. I'm sorry 314. Captain
21 while he's bringing that up do you remember the digital selective calling systems?

22 **WIT:** Yes.

1 **Mr. Verdin:** They were, this is for celestial equipment, IMARSAT systems and stuff that
2 was satellite, you know celestial type systems I believe. Part of the GMDSS equipment,
3 celestial equipment which cover your things like VHF, MFHF, and NAVTEX, am I
4 correct?

5 **WIT:** Yes.

6 **Mr. Verdin:** So the celestial equipment came with a, with the exception of NAVTEX
7 transceivers, transmit with VHF, medium frequency, high frequency came with the
8 capability of digital selective calling on particular frequencies, am I correct?

9 **WIT:** Yes.

10 **Mr. Verdin:** On VHF this frequency would be, well not the frequency but the channel
11 was dedicated to channel 70.

12 **WIT:** Yes.

13 **Mr. Verdin:** So meaning I could be physically monitoring any channel vocally on the
14 VHF but there was a digital selective calling being watched and monitored by the
15 equipment automatically on channel 70 for any distress, calls or anything of that nature,
16 remember that?

17 **WIT:** Yes.

18 **Mr. Verdin:** So right here on this picture looks like this would be the starboard console.
19 Does that look familiar?

20 **WIT:** Correct.

21 **Mr. Verdin:** And that appears to be the VHF that was there.

22 **WIT:** That is correct.

1 **Mr. Verdin:** Can we go to the next picture Lieutenant Alger. Can we look close?

2 Looking at this picture it seems that it's standing by on channel 10, correct?

3 **WIT:** Right.

4 **Mr. Verdin:** So if I'm communicating with the deck or [in audible] I think lines on that.

5 However, if a vessel in distress near you within the VHF communications range was to

6 send a distress or hit that button on this radio, there's a flap right here with a little

7 distress button.

8 **WIT:** Right.

9 **Mr. Verdin:** If any vessel was to hit that button in the radio vicinity would – what would

10 be – what would your radio do?

11 **WIT:** Well I'm assuming it would switch and allow you to receive that broadcast.

12 **Mr. Verdin:** Right. So regardless where this radio was at if a vessel near you hit the

13 distress button you would receive that call, that distress call wouldn't you?

14 **WIT:** Correct.

15 **Mr. Verdin:** And then I don't know if the vessel was on 16 or it was on 10 in this case

16 or not.

17 **WIT:** Right.

18 **Mr. Verdin:** So the digital selective calling, the emergency calling would come on

19 channel 70 and alert ever vessel that's – that has this type of system.

20 **WIT:** Correct. That's within the receiving distance.

21 **Mr. Verdin:** Receiving distance. And I'm not sure if you remember this or not, did they

22 teach you in class that as of, I'm trying to recall my memory because like I said it's been

23 a while since I had the class, but I think in 1999, and maybe just tell me if you remember

1 if they discussed this in your class, I believe they taught us in 1999 that FCC required
2 that every VHF manufactured or sold in the U.S. were required to have that distress
3 button, that DSC capability.

4 **WIT:** I can't recall if that was.

5 **Mr. Verdin:** Okay. So if that's the case, I've got to go back and pull my records and
6 look at the FCC, but if that's the case every vessel within – that has a VHF in the vicinity
7 would be able to receive that distress call, right?

8 **WIT:** Right.

9 **Mr. Verdin:** And this radio as I said is right on the starboard console. Had that vessel,
10 during the incident that button be pressed – been pressed during the event could it be
11 possible that every vessel in the vicinity of the POWER would have received a distress
12 alert?

13 **WIT:** Yes.

14 **Mr. Verdin:** Can we go back to 320 I believe it is. And I'm just going to ask you, okay
15 this console is aft, it's in the aft of the bridge, right?

16 **WIT:** Correct.

17 **Mr. Verdin:** Port side, starboard side?

18 **WIT:** Port side.

19 **Mr. Verdin:** During the Mate's testimony he said he hit the distress button, the GMDSS
20 distress button. Can you pinpoint what button he might have hit?

21 **WIT:** Well you have to have a button there, but you also have one on the side.

22 **Mr. Verdin:** On the side?

23 **WIT:** Yes. Yes, sir.

1 **Mr. Verdin:** Okay. And that would, do you know that piece of equipment that would
2 operate?

3 **WIT:** That – I don't understand the question.

4 **Mr. Verdin:** The button on the side, I mean VHF right here has a button just like the
5 one on the console. I'm looking to the left, I'm assuming that's the MFHF distress
6 button.

7 **WIT:** Right.

8 **Mr. Verdin:** For that VHF system.

9 **WIT:** Correct.

10 **Mr. Verdin:** And I'm not seeing one for the IMARSAT system. Could that have been
11 the button for the IMARSAT?

12 **WIT:** Yes, yes.

13 **Mr. Verdin:** Do you know how far that button or where the process for that distress
14 button is to come from the IMARSAT to a coast station? Do you know the process? Do
15 you remember how that goes?

16 **WIT:** I don't.

17 **Mr. Verdin:** So doesn't, again I'm trying to refresh your memory, tell me if I'm wrong or
18 right.

19 **WIT:** Okay.

20 **Mr. Verdin:** I'm not trying to lead you in any way I'm just trying to refresh your memory.
21 I know it's a while and I know it was a dry course.

22 **WIT:** Absolutely.

1 **Mr. Verdin:** Okay. IMARSAT system is a satellite, it's a satellite system. So it's a
2 celestial type system. So the signal has to be transmitted from the vessel to the satellite
3 that it's sent to bar RCC somewhere on the East Coast. I think the Base is Portsmouth,
4 but I don't remember, but it gets to the receiver and then from there it's sent to the area
5 where the vessel of operation to receive it.

6 **WIT:** Right.

7 **Mr. Verdin:** Does that ring a bell?

8 **WIT:** Correct.

9 **Mr. Verdin:** So it takes a while to get that message back to the local Coast Guard or
10 response department in that area of distress.

11 **WIT:** That would be true.

12 **Mr. Verdin:** That would be true, okay. If a signal was even to be able to get out,
13 because it might take a while because the system has to wait for a signal to be able to
14 send it out, it has to make sure the station is clear of frequencies, satellites the whole
15 nine yards before you can get something, is that correct?

16 **WIT:** Yes.

17 **Mr. Verdin:** Okay. Thank you Captain I think that's it. I appreciate it. Let's change
18 topics if we can for a little while. You said – you said many times in transit coming from
19 a job site or going to a job site that it's possible to stop several times along the route to
20 jack up because of weather.

21 **WIT:** On a long voyage, yes.

22 **Mr. Verdin:** Nothing unusual, it happens?

23 **WIT:** Right.

1 **Mr. Verdin:** Is it a requirement, I'm going to ask it kind of two ways. Is it required or do
2 you typically conduct stop work authority to complete the process for stop work authority
3 or is it?

4 **WIT:** Honestly I wouldn't consider that a stop work authority. I would consider a stop
5 work authority in that same scenario maybe if I was transiting and maybe the Mate or
6 whatever didn't like the sea conditions, he could use his stop work authority to say look I
7 don't want to continue and then of course that would be a stop work authority and I
8 would have to stop and we would have to analyze the situation. But as far as just
9 normal jacking up for weather conditions it's something that happens, again it's
10 common.

11 **Mr. Verdin:** How would you make that notation in your deck log? You would record
12 that you stopped and jacked up, correct?

13 **WIT:** Yes.

14 **Mr. Verdin:** Would you make a notation that you stopped? How is that noted in the
15 deck log?

16 **WIT:** Just that jacked up at whatever hour due to whatever the circumstances was.
17 Sea conditions or excessive current and wind or whatever the case may be that's
18 causing me to jack up I may note that.

19 **Mr. Verdin:** Okay. And again I'm not trying to put words in your mouth, but wouldn't
20 that be standby waiting on weather?

21 **WIT:** Yes.

22 **Mr. Verdin:** Okay. So it's a simple term. It's a simple process, no big deal. Would that
23 be the same prior to getting underway from either ashore or from a facility, the

1 weather's coming you find it's not safe or whatever reason you're not comfortable with
2 jacking down, getting underway, would that be a form of stop work authority? Or
3 standby waiting on weather?

4 **WIT:** Standing by waiting on weather.

5 **Mr. Verdin:** Okay. That I believe that's all I got Captain. Thank you Captain Timmons.

6 **CAPT Phillips:** Thank you Mr. Verdin. Mr. Ehlers.

7 **Mr. Ehlers:** Good morning Captain Timmons. Thanks for your testimony. We
8 appreciate it. I'm going to jump around a bit because of a lot of topics have already
9 been covered so you will just have to bear with me here a little bit. For any reason I
10 don't make any sense please let me know. I'm going to go all the way back to the new
11 life boat that got installed. You mentioned a new raft that had to be installed. That
12 required – do you know if that required welding?

13 **WIT:** No they generally they'll have bolt holes that you just bolt it to whatever steel you
14 have available for.

15 **Mr. Ehlers:** Okay. Alright. So nothing, it wouldn't involve the deck at all on the hull of
16 the vessel?

17 **WIT:** No. Not at all. They're elevated.

18 **Mr. Ehlers:** Okay. The weather report that you receive each morning from the
19 dispatch, was that specific to your lift boat and your location? Or was that a general
20 weather report for all vessels working the area?

21 **WIT:** Generally what they have, they have one that was for each of the vessels that
22 may be working or wherever you're at. And they would send all of it and you decipher
23 yours and look at it.

1 **Mr. Ehlers:** Okay. So were they using your current LAT and LONG to generate that
2 forecast?

3 **WIT:** I wouldn't say a specific LAT and LONG, I would say your location, based on your
4 morning report or your previous report.

5 **Mr. Ehlers:** And how reliable were those weather reports? In other words did you find
6 them accurate?

7 **WIT:** Honestly I don't give a whole lot to any weather that we receive to be exactly
8 accurate. It's just information.

9 **Mr. Ehlers:** Okay. We've talked a lot about NAVTEX. Where was the NAVTEX
10 receiver on the SEACOR POWER?

11 **WIT:** That was on the dash, port side.

12 **Mr. Ehlers:** Dash port side. Could you reach it from the helm or did you have to move
13 away from the helm to go to it?

14 **WIT:** I think it was more towards further port. I don't know that you could reach it from
15 the dash. I think you might have to go around wing of the wing station.

16 **Mr. Ehlers:** And you said that you would consult or you would look at the NAVTEX
17 when you had a concern was raised. Would a thunderstorm be a concern that would
18 make you go to the NAVTEX to review the NAVTEX?

19 **WIT:** Yeah. If you're seeing something that may have excessive or cause sea
20 conditions beyond the realm of the vessel, sure it's going to be concern to me and I will
21 look at it.

22 **Mr. Ehlers:** If it was just a normal thunderstorm or a normal thunderstorms were
23 predicted would you consult the NAVTEX printout?

1 **WIT:** If I was underway, I can't say depending on what I'm looking at. I mean if you
2 look at the dark clouds and it looked bad, then yes. But just because it got more cloudy
3 and started raining, would that send me to the NAVTEX, no.

4 **Mr. Ehlers:** You mentioned the – that the 70 knot limit for winds that's in the operations
5 manual and also the certificate of inspection which for the record is Exhibit 32 lists a 60
6 knot limit for underway. When you said that you never get to that limit, was that out of
7 operational concerns or safety concerns? What I mean by that is you mentioned for
8 instance that the vessel wouldn't be able to make progress with such a high wind. Is
9 that what you were concerned with or were you concerned with the stability of the
10 vessel in those high winds?

11 **WIT:** I think it could be both. But again you're not going to reach that criteria. I think if
12 reached that much, that high then it could definitely be a safety concern. But before it
13 even gets there you're going to have operational concerns because you're not going to
14 be able to make way.

15 **Mr. Ehlers:** Do you think 60 knots or 70 knots is a safe margin as listed in the COI or
16 the operational manual?

17 **WIT:** Oh I don't think – I would never run the boat in that high winds, no.

18 **Mr. Ehlers:** You said that the – you could feel a heel or a list if winds above 20 or 25
19 knots. When you stopped the day before pulling in because you said you had 30 to 35
20 knots or 35 to 40 knot winds I think you said. How much heel did you have based on
21 the winds for those conditions? Do you remember?

22 **WIT:** I don't really recall. I can say, because as soon as it hit I started looking for a
23 place to jack. So I turned, I turned – actually because of the ground swells were still

1 coming out of the Southeast I actually turned into the ground swells which left my stern
2 into the wind and jacked up.

3 **Mr. Ehlers:** If, but you would feel, you would have a heel or a list with 30 to 35 knots of
4 winds you think?

5 **WIT:** Again maybe not as much heel as you would list.

6 **Mr. Ehlers:** Maybe I'm crossing terminology here. So how much list would you think
7 you would take?

8 **WIT:** In 25 to 30 I would say just underway with, again with no external forces as far as
9 seas, I would say maybe a half of a degree or less.

10 **Mr. Ehlers:** Okay. And 35 to 40 knots?

11 **WIT:** I honestly couldn't say you know what the progression is.

12 **Mr. Ehlers:** Sure.

13 **WIT:** As the wind is, it's just not something, again when the wind starts getting high like
14 that you know the seas are going to be following you're just looking for a place to jack.

15 **Mr. Ehlers:** Did the vessel heel or list when turning?

16 **WIT:** No. As far as, no. Because the boat is so slow momentum really wasn't, I mean,
17 momentum would carry you but it wouldn't create G forces to make the boat list.

18 **Mr. Ehlers:** Okay. And this is a follow up question to Mr. Lawrence's questions about
19 the handling of the vessel and the following seas. If you turn while you were in the
20 following seas did the vessel yawl or twist like a lot of vessels do when you're trying to
21 turn in a following sea?

22 **WIT:** Sure, sure. Well again but it's a heavy wide boat. So it depends on the
23 separation and the peak of the seas and how big the ground swells, how far apart they

1 are. But and how big they are. Because again she's a heavy vessel, she's wide. So if
2 it's a choppy sea you're really not going to feel that very much. But if they're separated
3 enough and it's a large enough ground swell then yeah you're going to start feeling the
4 roll.

5 **Mr. Ehlers:** Did you ever have a situation in which you had a hard rudder on say to port
6 and then shifted to starboard, shifted your rudder all the way around?

7 **WIT:** Actually I have experienced that. Again if you're turning in and you can't get the
8 bow around because of the wind on the front legs I've actually turn to port couldn't come
9 around, didn't have enough room to come around, depends on how much room you
10 have. If you're offshore you have an immense amount of room it's not a big deal. But if
11 you're in close quarters then you don't have the option to continue trying you can just
12 come back around the other way. So you use momentum of the turn to actually force it
13 into the wind.

14 **Mr. Ehlers:** And how did the vessel react when you did that shift of the rudder and
15 what I'm really looking for is any list or heel that was imparted by shifting that, in the
16 action of shifting the rudder.

17 **WIT:** Well in my scenario I was in close quarters situation when I did that so I was
18 almost at a standstill. I twin screwed, not so much trying to propel the vessel around I
19 actually twin screwed to bring the boat around.

20 **Mr. Ehlers:** And the vessel didn't have a noticeable heel or list when you did that?

21 **WIT:** No.

1 **Mr. Ehlers:** You had stated that when you do a stability calculations while you're
2 jacked up and then you jack down, check your markings and then sometimes you have
3 to jack up and shift cargo. How often did that happen?

4 **WIT:** I can honestly say I've never done it on this boat. It's not something that's
5 common. I was just saying that as a reference to that's what you would do if the boat
6 was unstable or had an abnormal list that's what you would do. But I've never done that
7 on this vessel.

8 **Mr. Ehlers:** And the predicted trim and list from the program that you were using, was
9 that reliable once you actually jacked down?

10 **WIT:** I think the only thing that's totally that wouldn't be reliable is the trim of being 6
11 inches or less. On a lift boat that's just not – you're not going to achieve that unless you
12 have a heavy net cargo you could achieve that.

13 **Mr. Ehlers:** So if I understand correctly the trim that you would see, real trim that you
14 would experience was more than what the stability program predicted, is that correct?

15 **WIT:** That it said should, yeah.

16 **Mr. Ehlers:** Okay. Was that consistent always when you were calculating stability and
17 then observing your trim?

18 **WIT:** Well let me clarify what I'm saying. Because I'm not saying that the stability was
19 wrong. I'm saying that the comment that it says that you should achieve within six
20 inches of trim is not reasonable. But the stability program was still accurate and would
21 tell you that you're not within 6 inches. But that was expected.

22 **Mr. Ehlers:** I see. So the stability program was accurate?

23 **WIT:** Correct.

1 **Mr. Ehlers:** And it was just greater than the 6 inches that was a note in the -----

2 **WIT:** Correct.

3 **Mr. Ehlers:** Okay. Thanks for clarifying that.

4 **WIT:** Yes, sir.

5 **Mr. Ehlers:** Lieutenant Alger could you bring up Exhibit 1, page 14 or slide 14 [showing
6 Exhibit]. This is a photograph or a still of the SEACOR POWER as it was leaving port
7 on the accident day. And all I want you to do is take a look and tell me does that trim
8 look normal? Is that what you would have expected for the SEACOR POWER?

9 **WIT:** Yes. Knowing what I know as far as full of fuel and water, yes that looks good.

10 **Mr. Ehlers:** Okay. And the draft, the freeboard that you're seeing does that look
11 normal to you?

12 **WIT:** Again full of fuel, full of water with the cargo, yes.

13 **Mr. Ehlers:** Okay. Thank you Lieutenant Alger. You mentioned again the heavy
14 weather event that you had on your way into port you got a call about water coming into
15 a vent. Can you expand on that? What happened and how much water? Where it was
16 coming in?

17 **WIT:** Sure. Again it wasn't on my tower, it was I think it was around 0300 they woke me
18 up asked me to put the boat starboard side leeward so they could go close the vent.
19 They were receiving water in the galley. I never seen it. But they were receiving splash
20 from the water hitting the bulkhead on the main deck and it was splashing up into a vent
21 in the galley. And they were receiving, the explanation to me was – it was trickling in, in
22 that vent and actually going in the sink.

23 **Mr. Ehlers:** Where is that vent on the SEACOR POWER?

1 **WIT:** It's forward of the galley door on the starboard side. And it's located just below
2 the ceiling on the main deck.

3 **Mr. Ehlers:** Did you ever have a case either on that voyage or previous voyage where
4 you had water intrusion due to heavy weather?

5 **WIT:** I can't say, well we have had water get in the dog door in the galley just from,
6 again if somebody did transit the door and didn't dog it back, dog all the dogs you could
7 receive water coming in that way.

8 **Mr. Ehlers:** Was that a common occurrence?

9 **WIT:** I can't say it was common, but it was more common than I appreciated. It was
10 just one of those things that if the guys didn't dog the door down properly after transiting
11 it could become an issue. And all it is splash, the water coming up on deck and it hits
12 the bulkhead and it splashes up and then it goes I the door.

13 **Mr. Ehlers:** We heard testimony yesterday about a dent in the hull that occurred and
14 got repaired earlier in 2021. Are you familiar with that?

15 **WIT:** Yes, sir.

16 **Mr. Ehlers:** Do you know how that dent was put in the hull?

17 **WIT:** I do. I was on board. We was jacked up at Bollinger and actually one of our
18 supply boats was moored to the dock right next to me and it was during one of the
19 storms and he broke mooring, his bow came around and actually hit my, hit my hull.

20 **Mr. Ehlers:** Did – was that repaired immediately?

21 **WIT:** I want to say it was probably a few days, several days after it hit.

22 **Mr. Ehlers:** Maybe a better question, was it repaired before you got underway again,
23 jacked down and got underway again?

1 **WIT:** I don't recall. I think I had got off and went home before the repair.

2 **Mr. Ehlers:** Okay. And you said you were jacked up so there was no water intrusion
3 as a result of that collision?

4 **WIT:** Correct.

5 **Mr. Ehlers:** You, again the voyage inbound you stopped when you met heavy weather
6 and jacked up. Have you ever jacked up based on a forecast alone? In other words
7 just based, before the weather hit you have you ever done that?

8 **WIT:** Yes. Actually if we're expecting you know extreme winds and seas you may jack
9 up. You're going to find a safe jacking location before the front hits you. Yes.

10 **Mr. Ehlers:** Have you ever done that for a thunderstorm?

11 **WIT:** Again my experience with thunderstorms they're not predicted very well. It's not
12 something we just – we actually get accurate information. So I can't say I've done that
13 for a thunderstorm.

14 **Mr. Ehlers:** And just to be clear thunderstorms are common?

15 **WIT:** Yes.

16 **Mr. Ehlers:** Okay. Year round, certain time of the year?

17 **WIT:** I think summer, summer here is worse than any other time.

18 **Mr. Ehlers:** Is it uncommon in the spring, April timeframe?

19 **WIT:** I think it's more uncommon to see an extreme thunderstorm, sure.

20 **Mr. Ehlers:** Okay. Thank you Captain.

21 **CAPT Phillips:** Thank you Mr. Ehlers. Mr. Muise.

22 **Mr. Muise:** Good morning Captain.

23 **WIT:** Good morning.

1 **Mr. Muise:** I have a few follow ups from Mr. Verdin's line of questioning about GMDSS.

2 And I just want to make sure that we have the right button here. On the side of the
3 console we were talking about the remote distress button IMARSAT C, is that correct?

4 **WIT:** Yes.

5 **Mr. Muise:** Is there anything else on the side of that console that it could be confused
6 with like maybe you're security alert button?

7 **WIT:** No.

8 **Mr. Muise:** Nothing else there that, so for sure the button on the side, on the right side
9 of that console had to be IMARSAT C?

10 **WIT:** That would be on the left side facing it.

11 **Mr. Muise:** The left side facing the console, facing aft?

12 **WIT:** Yeah facing the console, facing aft it would be on the left side.

13 **Mr. Muise:** Was there anything on the right side, on the port side?

14 **WIT:** No.

15 **Mr. Muise:** Okay. Lieutenant Alger can we bring up Exhibit 152 [showing Exhibit]. And
16 this is a picture of the port side search and rescue transponder when it arrived at the
17 NTSB lab. This particular make and model comes with a telescoping pole that's used to
18 hold it up in the air if you're in the lift raft or in a life boat. It gives you a little bit better
19 radar target. Do you know where that pole is stored?

20 **WIT:** I don't.

21 **Mr. Muise:** These SARTS were new I believe. They replaced an older one that the
22 batteries had expired earlier in the year, are you familiar with that?

23 **WIT:** I didn't, I didn't do that, no.

1 **Mr. Muise:** Okay. Basically my question was did those old ones have a telescoping
2 pole, if you remember?

3 **WIT:** I've never seen a pole for those.

4 **Mr. Muise:** Okay. GMDSS also has a requirement for I believe its three VHF hand
5 held radios, usually they're brightly colored. Where were those stored at?

6 **WIT:** Those are actually, we have them stored on the starboard side, they're actually
7 sitting on the, I believe it just sitting in the window because you can put them in a dish
8 bag for emergency situations and drills. We'll put them in what we call a dish bag and
9 wrap it and go. It goes with the SARTS, EPRIB and such.

10 **Mr. Muise:** Okay thank you. And last thing not related to GMDSS, but did you have a
11 line throwing appliance or a shoulder fire line throwing gun?

12 **WIT:** Yes.

13 **Mr. Muise:** Where was that stored at?

14 **WIT:** That was located under the dash, you had a removable panel under the starboard
15 side of the console and they were put there.

16 **Mr. Muise:** And was that the bucket style, the bright orange or bright yellow bucket
17 style or was it the shoulder firing gun?

18 **WIT:** It was the big round bucket style, yeah.

19 **Mr. Muise:** Did you ever train your crew with that at all?

20 **WIT:** Absolutely. When they – we would keep them after they expired and actually use
21 that for training so they could get the feel of what it's like to fire them and the purposes
22 and such.

1 **Mr. Muise:** And I understand there's supposed to be an auxiliary line or a messenger
2 somewhere, 1000 feet, where was that stored?

3 **WIT:** That was also up on the top deck.

4 **Mr. Muise:** Thank you Captain. I have no further questions.

5 **CAPT Phillips:** Thank you Mr. Muise. Mr. Kucharski.

6 **Mr. Kucharski:** Yes Captain Phillips, thank you. Good morning Captain Timmons.

7 **WIT:** Good morning, sir.

8 **Mr. Kucharski:** Thank you for coming today. As Mr. Ehlers mentioned a lot of topics
9 covered so I'm going to be going through those I'm going to jump a little bit. I apologize
10 in advance.

11 **WIT:** That's fine.

12 **Mr. Kucharski:** Did you say the drafts, the drafts were taken in the logs somewhere?

13 **WIT:** I'm sorry.

14 **Mr. Kucharski:** The draft, when you took draft were they logged somewhere?

15 **WIT:** Were they logged, yes, sir.

16 **Mr. Kucharski:** And I believe you stated that the watertight doors were kept closed
17 when underway.

18 **WIT:** Correct.

19 **Mr. Kucharski:** Are they logged somewhere, the actual closure?

20 **WIT:** It's all part of our pre-departure. So it was logged in that. I can't say I would
21 specifically log it in my deck log.

22 **Mr. Kucharski:** Did you keep an official log on the boat, was it official or was it deck
23 logs?

1 **WIT:** It was just a deck log, yes.

2 **Mr. Kucharski:** I think you mentioned earlier that generally the AB's secured the
3 watertight doors when you were jacking the boat.

4 **WIT:** Yeah that would be who I would send. But it really varied depending, shoot I
5 might be the one to do it. It just depends on what's going on. If I was the last guy in
6 whatever was going on, I would dog them. But generally if I was on the bridge and I
7 needed to send somebody I would generally send the AB.

8 **Mr. Kucharski:** Was that the same procedure that was followed by the other crew do
9 you know?

10 **WIT:** I can't say that.

11 **Mr. Kucharski:** Did you send any stability information to the company?

12 **WIT:** I don't think so, no. Everything was, the stability was put into the job folder.

13 **Mr. Kucharski:** The job folder, do you send that company?

14 **WIT:** No, sir. That was kept in our file cabinet for our records.

15 **Mr. Kucharski:** I believe you said you departed the SEACOR POWER on the morning
16 of April 13th, the accident day.

17 **WIT:** That's correct.

18 **Mr. Kucharski:** What day did the SEACOR POWER actually arrive Port Fouchon just
19 prior to the accident voyage?

20 **WIT:** I believe it was Sunday afternoon.

21 **Mr. Kucharski:** Continuing with the log books, do you send any log books ashore, any
22 form, in way or form?

23 **WIT:** No, sir. Just our daily reports.

1 **Mr. Kucharski:** How about in the past when it wasn't SEACOR? You said you sailed
2 with different companies. Did you ever send any of the log books in to the company?

3 **WIT:** Not generally, no.

4 **Mr. Kucharski:** Lieutenant Alger Exhibit 59 page 37 please [showing Exhibit]. And
5 Captain on Table 4.6 the restrictions on the boat, have you seen this before?

6 **WIT:** Yes, I'm very familiar, yes, sir.

7 **Mr. Kucharski:** Do you know what type of wind is used for this restriction?

8 **WIT:** For underway?

9 **Mr. Kucharski:** No is it sustained winds, is it a gust of wind? Do you know what type
10 of wind it is?

11 **WIT:** No, sir, I don't.

12 **Mr. Kucharski:** Would it be helpful to know that?

13 **WIT:** I guess it could. But again it's a number that you're never going to achieve in real
14 world. So the terminology could be changed but truthfully you're never going to get
15 there anyway.

16 **Mr. Kucharski:** Do you know if the SEACOR POWER experienced any of these on its
17 last trip?

18 **WIT:** I'm sorry.

19 **Mr. Kucharski:** Do you know if the SEACOR POWER on its – on the accident trip if it
20 experienced winds in this vicinity?

21 **WIT:** I'm under the impression it did.

22 **Mr. Kucharski:** So do you know the different between a static wind and a sustained
23 wind?

1 **WIT:** Astatic wind?

2 **Mr. Kucharski:** Static, S-T-A-T-I-C.

3 **WIT:** No I'm not familiar with that terminology.

4 **Mr. Kucharski:** Do you know how the winds are given to you in the National Weather
5 Service marine forecast?

6 **WIT:** Do I know where they're getting it?

7 **Mr. Kucharski:** Do they give you like winds, forecast winds, do they give gusts of
8 winds or sustained winds?

9 **WIT:** Oh yes.

10 **Mr. Kucharski:** Do they break them down like that?

11 **WIT:** Yes, the peak. The peak winds and sustained, correct.

12 **Mr. Kucharski:** Do you know what time interval for sustained wind is?

13 **WIT:** I don't.

14 **Mr. Kucharski:** Do you know the time interval for a gust of wind?

15 **WIT:** No I don't what the intervals are. I think that's personal interpretation.

16 **Mr. Kucharski:** If I told you a stability calculation is based on a static with high speed
17 wind force would it be helpful to know this?

18 **WIT:** I think you could.

19 **Mr. Kucharski:** And did you say you calculated the stability on the SEACOR POWER?

20 **WIT:** That would be the Chief Engineer and myself.

21 **Mr. Kucharski:** On your boat, the Chief Engineer and you do?

22 **WIT:** Yes both of us.

23 **Mr. Kucharski:** Have you ever felt the SEACOR POWER list from a gust of wind?

1 **WIT:** No.

2 **Mr. Kucharski:** So you said you felt the vessel earlier, you felt the vessel list or heel,
3 list from the wind, was is sustained wind?

4 **WIT:** Sustained, correct.

5 **Mr. Kucharski:** Does gusting wind concern you when you're on a lift boat?

6 **WIT:** I think an excessive gust sure it could hitting you abeam. Any external force
7 hitting you abeam is a concern in my opinion.

8 **Mr. Kucharski:** Have you ever seen any damage caused by a gust of wind out there
9 on a lift boat?

10 **WIT:** No generally if it is a sustained winds in addition to the gusts, so what the damage
11 is from that would be, I would say I wouldn't know.

12 **Mr. Kucharski:** If you received a 12 hour forecast of 60 knots could you get into a
13 port? Or somewhere to jack up?

14 **WIT:** Could I get in? If I was going to see winds like that I just wouldn't get underway.
15 Or if I was going to experience that type of weather I would just jack up.

16 **Mr. Kucharski:** And if you were out to sea already and got the 12 hour forecast for 60
17 knots would you head into a port or would you jack up?

18 **WIT:** In order words if I had time to get to safe port yeah I wouldn't mind getting – I'd
19 rather be in port than be offshore. But if I was going to experience it in route then I
20 wouldn't go.

21 **Mr. Kucharski:** So what would you do if you were in deep water? Where you couldn't
22 put the legs down.

23 **WIT:** I've never been there.

1 **Mr. Kucharski:** How did you actually compute the trim of the vessel?

2 **WIT:** As far as getting your mean draft? I mean what?

3 **Mr. Kucharski:** Did you use visual draft, take the [in audible] down to draft?

4 **WIT:** That's correct.

5 **Mr. Kucharski:** And subtract out.

6 **WIT:** Subtract out the stern and yes.

7 **Mr. Kucharski:** Was there any formula that was needed to actually compute this trim
8 or was it simply just subtract the larger, the smaller from the larger?

9 **WIT:** We took the four corners and would divide, subtract out the underwater gear draft
10 which is four foot and then get your mean draft.

11 **Mr. Kucharski:** So you were using visual to get your mean draft?

12 **WIT:** Correct.

13 **Mr. Kucharski:** When heading out to perform a job did you ever see the SEACOR
14 POWER leave on an even keel?

15 **WIT:** Even keel?

16 **Mr. Kucharski:** Even keel.

17 **WIT:** No.

18 **Mr. Kucharski:** Did you ever have to take or shift ballast for trim purposes?

19 **WIT:** No.

20 **Mr. Kucharski:** How about shifting cargo for trim purposes?

21 **WIT:** Generally no as long as, we just try to keep the weight as far forward as possible
22 and it always worked out.

23 **Mr. Kucharski:** Did you ever have to take or shift ballast for weather purposes?

1 **WIT:** No.

2 **Mr. Kucharski:** I think you mentioned that the vessel typically, we showed a picture
3 earlier with the trim on it and leaving Port Fourchon and you mentioned that you
4 typically had, that was fairly typical you had about 2 foot of trim?

5 **WIT:** Yes.

6 **Mr. Kucharski:** Did you tell that to anyone at the company?

7 **WIT:** I don't recall making that statement to them no.

8 **Mr. Kucharski:** Did anyone come to you or ask you why you had 2 foot of trim?

9 **WIT:** No.

10 **Mr. Kucharski:** And who did you actually send the vessel drafts to when you left port?

11 **WIT:** We didn't send that in.

12 **Mr. Kucharski:** You never sent them in?

13 **WIT:** No, sir.

14 **Mr. Kucharski:** Is – what's the best heading to take seas on the SEACOR POWER?

15 **WIT:** I would say the bow.

16 **Mr. Kucharski:** Is that the same for all the lift boats that you Captained?

17 **WIT:** Yes.

18 **Mr. Kucharski:** And why is it on bow?

19 **WIT:** That's where you're highest.

20 **Mr. Kucharski:** And how about wind on the SEACOR POWER? Just straight wind.

21 **WIT:** Well again with a consistent wind you're going to have seas so. But if it was just
22 wind without seas I would say the safest would be directly on the stern.

23 **Mr. Kucharski:** And is that same with other lift boats also?

1 **WIT:** I would say so.

2 **Mr. Kucharski:** And why is that you would take it on the stern, just the wind?

3 **WIT:** Because your bow is where you have the most reserve buoyancy.

4 **Mr. Kucharski:** When drifting, no propulsion put it that way, what aspect did the
5 SEACOR POWER take to the wind? Did it go beam to the wind, or head to the wind?

6 **WIT:** I can't say I've ever been turned by the wind. I guess it would, if you were abeam
7 of the wind the front legs is going to catch more, it would go around. But I can't say I've
8 ever experienced that. I'm always, usually you're always – you always have input.

9 **Mr. Kucharski:** I think you mentioned earlier that you felt the vessel roll in a certain
10 type of swells or seas.

11 **WIT:** Right.

12 **Mr. Kucharski:** Did you – did it ever seem that the vessel continued to roll more in the,
13 if you will with that swell? Did you ever experience that?

14 **WIT:** Sorry can you repeat the question.

15 **Mr. Kucharski:** Did you ever feel in that roll sort of like pushing a child on a swing, a
16 little bit of motion against that child swinging higher and higher?

17 **WIT:** Got you.

18 **Mr. Kucharski:** Did you ever feel that on abeam swell that it started to -----

19 **WIT:** That was building momentum?

20 **Mr. Kucharski:** Yes.

21 **WIT:** No.

1 **Mr. Kucharski:** Looking again at Exhibit 59 on page 37. Do you see down there where
2 it says wave period? On the left hand column. It says wave period and plus is not
3 available?

4 **WIT:** Yes.

5 **Mr. Kucharski:** Do you know why there's no wave period in there?

6 **WIT:** I don't.

7 **Mr. Kucharski:** Is there maybe a difference in the wave period or the swell period?

8 **WIT:** Absolutely.

9 **Mr. Kucharski:** Would it be helpful to have that in there?

10 **WIT:** I think to read it yes it would be helpful. I think somebody with experience is
11 going to evolve by how they feel with the vessel more than what they read out of a
12 manual.

13 **Mr. Kucharski:** Do you know why wave period would be important?

14 **WIT:** Yes.

15 **Mr. Kucharski:** Explain that.

16 **WIT:** Well just again like I explained earlier. If the ground swells are separated enough
17 that the boat can start – it could start rocking and basically gain momentum over time.

18 **Mr. Kucharski:** Shifting a little bit now to weather, a little bit different weather
19 questions. Has all of your time as Captain or Mate on other boats been in the Gulf of
20 Mexico?

21 **WIT:** Yes. For the most part besides brief periods of Mexico. Well it's still in the Gulf of
22 Mexico. Yes all in the Gulf of Mexico.

1 **Mr. Kucharski:** During all that time did you ever hear an urgent weather warning
2 broadcast by the Coast Guard or any other station on VHF channel 16?

3 **WIT:** Yes.

4 **Mr. Kucharski:** Would it be typically, PAN PAN, PAN PAN, PAN PAN, for all those
5 stations?

6 **WIT:** Correct.

7 **Mr. Kucharski:** And then would the weather, made that announcement have you
8 switch to another channel?

9 **WIT:** Yes.

10 **Mr. Kucharski:** Were the words PAN PAN, PAN PAN are broadcasted over VHF does
11 that get our attention?

12 **WIT:** Yes.

13 **Mr. Kucharski:** And when you heard that weather warning or message did you switch
14 to that other channel to listen?

15 **WIT:** Yes.

16 **Mr. Kucharski:** Have you recently heard this type of voice message on VHF 16?

17 **WIT:** I can't say it's been recent, no.

18 **Mr. Kucharski:** Would this type of weather warning be useful to you as Master?

19 **WIT:** Absolutely.

20 **Mr. Kucharski:** If you received a special marine forecast for a line of thunderstorms
21 approaching you with winds over 34 knots, heavy hail at a speed faster than SEACOR
22 POWER's speed what would you do?

1 **WIT:** Well if it was fixing to approach me again if it's something that I really don't – I
2 want to address by looking for a place to jack.

3 **Mr. Kucharski:** And if you decided to jack, and we say jack, would you soft tag or
4 would you bring it out of the water?

5 **WIT:** No if you're experiencing heavy weather you want to go ahead and get the hull
6 out of the water because you're going to be – the seas are going to build.

7 **Mr. Kucharski:** So in 45 foot of water how much warning would you actually need to
8 get that lift boat out of the water?

9 **WIT:** I would say to take action, turn into the seas and elevate. Well you're going to
10 have to find a safe jacking location. So if you already have that it's only a matter of
11 probably 10, 15 minutes.

12 **Mr. Kucharski:** Could we look at Exhibit 59 page 60 please [showing Exhibit]. And
13 specifically 6.1 it talks about heavy weather. Was there a quantity amount assigned to
14 heavy weather in anywhere in this manual? I [in audible].

15 **WIT:** Define heavy weather? I can't say it would specifically say anything about heavy
16 weather, but you have your vessel parameters is what you go by.

17 **Mr. Kucharski:** And dropping down to 6.1.1 section 1, it says continue to monitor
18 weather closely, do you see that Captain?

19 **WIT:** I do.

20 **Mr. Kucharski:** And if you read along a little bit further it says obtain forecast by any
21 means possible from the client, office, U.S. Coast Guard, insurance surveyors. Have
22 you ever received weather or reached out to the client? Would that be the charterer?

23 **WIT:** Yes.

1 **Mr. Kucharski:** You have gone to the charterer and asked for weather?

2 **WIT:** Yeah they have their own weather sites as well so we just ask them for the
3 weather report.

4 **Mr. Kucharski:** And would that be a physical – would that be a phone call to the
5 charterer or would you?

6 **WIT:** No. If we have a charterer on board we can just ask him to print one from his
7 weather.

8 **Mr. Kucharski:** Have you ever called the Coast Guard for weather?

9 **WIT:** I've never called the Coast Guard for weather, no.

10 **Mr. Kucharski:** How about insurance surveyors?

11 **WIT:** No.

12 **Mr. Kucharski:** Along with weather, maybe not this exhibit did you ever see a squall
13 line approach the vessel on radar?

14 **WIT:** Absolutely.

15 **Mr. Kucharski:** And how far out could you see the squall line? Well first let me ask
16 you, on your radar what was the maximum range on there?

17 **WIT:** I would say it was 48 miles.

18 **Mr. Kucharski:** 48 miles. Was it X band or S band do you know?

19 **WIT:** I don't know.

20 **Mr. Kucharski:** Did you have two types or one type? Radar.

21 **WIT:** Oh we had two radars.

22 **Mr. Kucharski:** You had two radars. And about how far out could you see on the
23 radar?

1 **WIT:** The large ones a squall, we could see it, we use to use for the cranes as well, we
2 could watch weather. So we could see at least 24 miles was quite common.

3 **Mr. Kucharski:** I'm sorry you said it was quite common to see 24 miles?

4 **WIT:** Right.

5 **Mr. Kucharski:** The, over the years you spent sailing on the Gulf of Mexico have you
6 ever been out on a lift boat, or any type of boat in the Gulf as a squall line, front line
7 approach the vessel?

8 **WIT:** Yes.

9 **Mr. Kucharski:** Was that – were the weather conditions ever more severe, were the
10 winds higher or the seas higher than predicted?

11 **WIT:** Absolutely.

12 **Mr. Kucharski:** A little bit back, about your back ground Captain do you remember if
13 weather was a part of license, getting your license?

14 **WIT:** Briefly, yeah there's something in there yes.

15 **Mr. Kucharski:** By briefly you mean there was just a little bit?

16 **WIT:** It's a small portion of the test, yes.

17 **Mr. Kucharski:** Did it include sources for obtaining weather information?

18 **WIT:** I don't recall that it said anything about sources.

19 **Mr. Kucharski:** Did you monitor, let me back up. Was the vessel capable of
20 monitoring NOAA weather radio? Have you ever heard of NOAA weather radio?

21 **WIT:** I have.

22 **Mr. Kucharski:** Could you do that up there on the bridge?

1 **WIT:** I actually have a NOAA weather App on my phone as well. So I could look at that
2 as well.

3 **Mr. Kucharski:** Okay. Let me ask you, this App if you're up on the bridge right, there's
4 no autopilot on that boat, correct? The SEACOR POWER.

5 **WIT:** Correct.

6 **Mr. Kucharski:** So would you be trying to steer and working your App at the same
7 time?

8 **WIT:** Well no I'm not always the one steering the vessel.

9 **Mr. Kucharski:** So you would have to work that App though, you would have someone
10 else steer the vessel for you?

11 **WIT:** Yeah. But they can pull it up.

12 **Mr. Kucharski:** And while we're on that. During the daytime are there two unlicensed
13 members on the bridge at all times?

14 **WIT:** Two additional?

15 **Mr. Kucharski:** Two unlicensed. So you have an officer that's up on the bridge,
16 correct?

17 **WIT:** Right.

18 **Mr. Kucharski:** Underway, I'm talking about underway. You have an AB on watch
19 also, correct?

20 **WIT:** Yes.

21 **Mr. Kucharski:** Is that person always on the bridge?

22 **WIT:** Yes.

1 **Mr. Kucharski:** They don't do any work, you don't have to call them back up to the
2 bridge?

3 **WIT:** That's correct. Their assigned duty is for a watchman.

4 **Mr. Kucharski:** And do you also have another person an ordinary or anybody else up
5 there with you?

6 **WIT:** They'll – if there's anything, generally they'll be working and then they'll switch out
7 if the AB or whoever is on watch needs a break they'll switch out.

8 **Mr. Kucharski:** So back to meteorology have you taken any weather courses?

9 **WIT:** No.

10 **Mr. Kucharski:** Was the SEACOR POWER on charter TALOS on the trip before the
11 accident trip?

12 **WIT:** Yes.

13 **Mr. Kucharski:** Were there any lay days or reduction in rates if the vessel had to stop
14 work because of weather?

15 **WIT:** If my memory serves me correctly on this particular charter no. There was no
16 reduced rate.

17 **Mr. Kucharski:** And was the SEACOR POWER laid up during any of the time past 6
18 months, was it in a hot stack I think it's called?

19 **WIT:** Yeah we've been without jobs recently, sure.

20 **Mr. Kucharski:** Did you feel there was any pressure to perform work?

21 **WIT:** To get to a job?

22 **Mr. Kucharski:** To perform work under the contract?

23 **WIT:** No. We, it was already under contract, we was on pay roll.

1 **Mr. Kucharski:** Did the atmosphere to operate the vessels change at SEACOR over
2 the past three years?

3 **WIT:** Did the operations change as far as what kind of jobs we were getting?

4 **Mr. Kucharski:** The atmosphere on board the vessels.

5 **WIT:** Oh. Of course anytime during a downturn that's a concern for crewmembers. But
6 no pressure given by the office as far as that goes.

7 **Mr. Kucharski:** Were there any layoffs of boat crews during that time?

8 **WIT:** In the last three years? Yeah I would say there is yeah.

9 **Mr. Kucharski:** You said you're working Alliance now?

10 **WIT:** That is correct.

11 **Mr. Kucharski:** Why are you working for Alliance?

12 **WIT:** Because they purchased a previous vessel that I was Captain the SUPERIOR
13 INFLUENCE. They purchased that vessel and they wanted an experienced Captain on
14 that vessel to – that's familiar with it. So they paid me to come over there.

15 **Mr. Kucharski:** Was any of the office staff at SEACOR reduced while you were there?

16 **WIT:** I think it was, sure.

17 **Mr. Kucharski:** Was there ever a Port Captain at SEACOR or any predecessor? The
18 company has changed as you went along, as your career went along.

19 **WIT:** Right.

20 **Mr. Kucharski:** Was there ever a Port Captain at any of those companies?

21 **WIT:** Yes.

22 **Mr. Kucharski:** Was there a Port Captain at SEACOR?

1 **WIT:** No we had people did the duties of the Port Captain we do. But no not an
2 assigned title as Port Captain.

3 **Mr. Kucharski:** When you were working at SEACOR how did going to work take
4 place? I mean did you have a permanent job on the POWER? Was that what it was?

5 **WIT:** I did.

6 **Mr. Kucharski:** So you were a permanent rotation with Captain Ledet?

7 **WIT:** Yes.

8 **Mr. Kucharski:** And you've heard of Captain Gracien, Jim Gracien?

9 **WIT:** Yes.

10 **Mr. Kucharski:** How did he come aboard with the vessel to be employed?

11 **WIT:** He didn't have – they had stacked his assigned vessel so he came on as an
12 extra. A welcomed extra.

13 **Mr. Kucharski:** And so when you mention they hot stack, do they keep a Captain on
14 board a hot stacked vessel?

15 **WIT:** Yes. And they kept a crew, enough crew on it to move it legally. To a minimum.

16 **Mr. Kucharski:** I see. Just to move it.

17 **WIT:** To a minimum right.

18 **Mr. Kucharski:** To a minimum. So you wouldn't have the full complement crew?

19 **WIT:** That's correct.

20 **Mr. Kucharski:** Who else do they keep in the hot stack?

21 **WIT:** Again it varies from hitch to hitch. Sometimes you – I would have guys, almost
22 too many guys. I would have 10, 11 crew and then the next hitch we would have bare

1 minimum. So depends on I guess what other boats were working and where they
2 needed the crew.

3 **Mr. Kucharski:** Did you and Captain Dave talk about how the industry has changed?

4 **WIT:** We've had brief discussions. He had been in it longer than I. Very
5 knowledgeable about the industry before my time.

6 **Mr. Kucharski:** Did you talk about layoffs or the changing – changes in pressure or
7 less pressure, more pressure?

8 **WIT:** I can't say that pressure was ever an issue. I think he and I had both been
9 around long enough that pressure wasn't a concern of ours.

10 **Mr. Kucharski:** Is there a problem, sorry to jump, actually let me stay with you and
11 Captain Ledet. Did you both use the standing orders?

12 **WIT:** Yes.

13 **Mr. Kucharski:** Is there a problem if the vessel is listing or rolling when you lower the
14 legs?

15 **WIT:** Is there a problem with lowering the legs while you're rolling?

16 **Mr. Kucharski:** Yes.

17 **WIT:** No.

18 **Mr. Kucharski:** How about, have you ever had to do it when the vessel is listing?

19 **WIT:** No I've never received a sudden list that I needed to do that. Again if it was listing
20 due to wind I would turn into the wind generally.

21 **Mr. Kucharski:** But no problem if it was rolling to lower the legs?

22 **WIT:** No.

1 **Mr. Kucharski:** You mentioned earlier that the Chief would take the drafts, I just want
2 to be clear that was the Chief Engineer?

3 **WIT:** That is correct.

4 **Mr. Kucharski:** A little bit of a jump. I think someone asked you about, or maybe not, I
5 think the question was asked earlier about E-lighting, emergency lights that there were
6 batteries in them until the emergency power kicked in.

7 **WIT:** Correct.

8 **Mr. Kucharski:** Does that make sense?

9 **WIT:** Yes.

10 **Mr. Kucharski:** Do you know how those batteries were charged?

11 **WIT:** I want to say, no I don't.

12 **Mr. Kucharski:** So you don't know if you had to run the emergency diesel generator to
13 charge those batteries or not?

14 **WIT:** No I would assume, and most systems are on a constant volt system. So the
15 they're constantly charged and ready for in the event of a power outage.

16 **Mr. Kucharski:** Do you when the safety checks if you actually check to see that those
17 batteries operated without the emergency diesel generator on?

18 **WIT:** Yes when we go dark ship that's when we would be testing the E-lights.

19 **Mr. Kucharski:** Each time when you go, I'm sorry, the new shift comes on you test
20 those E-lights?

21 **WIT:** No I said it's every 30 days.

1 **Mr. Kucharski:** 30 days. You also mentioned earlier I think Mr. Lawrence asked you
2 about water on deck. Was the water spray that hit up against the side and came on or
3 was it green seas, you could actually see seas come on the deck?

4 **WIT:** You could see part of the swell depending on where they were hitting and on the
5 vessel. Definitely part of the swell would peak the deck.

6 **Mr. Kucharski:** Lieutenant Alger Exhibit 83 please [showing Exhibit]. And this shows
7 there was an audit, an internal audit on 29 March 2021, do you see that Captain?

8 **WIT:** Yes.

9 **Mr. Kucharski:** Were you on board for that audit?

10 **WIT:** Yes.

11 **Mr. Kucharski:** It shows down on section 1.3 was a remote audit completed by the
12 vessel crew, reviewed by auditor. How did that actually take place? Did you talk back
13 and forth on it?

14 **WIT:** Correct.

15 **Mr. Kucharski:** And it was all on the telephone?

16 **WIT:** No emails as well.

17 **Mr. Kucharski:** Email. So email and phone calls?

18 **WIT:** Yes.

19 **Mr. Kucharski:** And do you know who the auditor was on there?

20 **WIT:** I think it was Barrett Charpentier [sic].

21 **Mr. Kucharski:** How did the auditor review any of the forms or documents you had on
22 board the vessel?

1 **WIT:** Well the way they did it is when you – once you was notified we had so long to
2 produce whatever documents that they were asking for. You needed to get it back to
3 them to show them that they were already done.

4 **Mr. Kucharski:** I see. So it didn't take actually in place of the audit it, you sent it to
5 them after the audit?

6 **WIT:** Correct.

7 **Mr. Kucharski:** And please, Lieutenant page 5. And specifically item 7.7. And I
8 believe this is an appraisal, do you see that?

9 **WIT:** Yes, sir I see it.

10 **Mr. Kucharski:** So this ship handling appraisal who actually appraised you?

11 **WIT:** That's – that's, it would be – you would actually I would like do my relief and my
12 relief would generally do mine as far as an appraisal goes.

13 **Mr. Kucharski:** So did your relief ride with you to see how you -----

14 **WIT:** We have rode with each other.

15 **Mr. Kucharski:** I'm sorry?

16 **WIT:** We have sailed together.

17 **Mr. Kucharski:** Okay. So for those appraisals was that part of that?

18 **WIT:** I can't say that was the case here.

19 **Mr. Kucharski:** Was there anybody at the company shore side that could appraise
20 your ship handling?

21 **WIT:** I don't know anybody that's qualified.

22 **Mr. Kucharski:** Thank you Captain Timmons. Thank you Captain Phillips. That's it.

23 **CAPT Phillips:** Thank you Mr. Kucharski. Mr. Ehlers.

1 **Mr. Ehlers:** Thank you Captain Phillips. Sorry I just have a follow up on an earlier
2 question from Mr. Kucharski. And you mentioned that the safe jacking location would
3 take about 15 minutes to soft tag. So tell me about getting in a safe jacking location.
4 How would that process go about and how long would it take?

5 **WIT:** Well you would call Fugro we had a 24 hours number for Fugro. And we would
6 call them and let them know of our LAT and LONG and if they could give it to you while
7 you're on the phone they would. But sometimes they would ask you to give them a few
8 minutes and they'll look it up and either call you back or have you call them again in a
9 certain amount of time.

10 **Mr. Ehlers:** So middle of the day or let's use the time 1530 what – how long do you
11 think it would take to get a safe jacking location?

12 **WIT:** I would say in the afternoon where people are still in the office it shouldn't be long
13 at all. I would say probably 10 minutes.

14 **Mr. Ehlers:** And, I assume you've had plenty of safe jacking locations. How close to a
15 pipeline were those safe jacking locations? Do they allow you to get within a couple
16 hundred yards or?

17 **WIT:** I don't know what the parameter would be or what they felt was safe. But they
18 definitely allowed for some error. As a matter of fact when I asked one my voyage in I
19 think he said I was within 500 yards, or 500 feet of a pipeline so he asked me to
20 continue traveling another mile or two. I think it was to the East and I would be clear of
21 everything.

1 **Mr. Ehlers:** So if you were doing a precautionary jacking up how long does it take to
2 get from the time you start asking for a safe jacking location to when the vessel is soft
3 tagged? How long do you think that process would take?

4 **WIT:** Again if it was, I guess the worst case scenario would be 3 in the morning where
5 it's going to take longer to get your safe jacking and you were close to a pipeline, you
6 know you may have to transit a mile or two. And then 100 foot of water, all those things
7 are going to add to the amount of time. But I would say I've never, I can't say I've ever
8 been more than 45 minutes to an hour from being elevated once I decided to elevate.
9 Again worst case scenario.

10 **Mr. Ehlers:** How about a best case scenario?

11 **WIT:** Best case scenario would be, had you call at 3 in the afternoon or 2 in afternoon
12 when people are in the office during the weekday within, call them oh yeah let me figure
13 it while you're still on the phone, they punch in, oh you're good Captain, put her down.
14 And you're in 40 foot of water. So honestly I could be jacked up in 10 minutes, 15
15 minutes.

16 **Mr. Ehlers:** Okay. Thank you Captain.

17 **CAPT Phillips:** Thank you Mr. Ehlers. We're going to go ahead and take a short
18 recess. We'll reconvene at 1120. The time is now 1104. This hearing is now in recess.

19 *The hearing recessed at 1104, 10 August 2021*

20 *The hearing was called to order at 1120, 10 August 2021.*

21 **CAPT Phillips:** The time is 1120. This hearing is now in session. Thank you Captain.
22 We have a couple additional questions from up here and then we'll ask our parties in
23 interest if they have any questions. So I'll start out with Mr. Verdin.

1 **Mr. Verdin:** Thank you Captain. Captain Timmons you routinely conducted safety
2 drills, emergency drills, correct?

3 **WIT:** Yes.

4 **Mr. Verdin:** What was the frequency of these drills?

5 **WIT:** Anytime there was a turnover of crew or contractors we were required to do a fire
6 and abandon ship. And then again we had a drill matrix with all these drills were on and
7 you had to cover them all before they expired. Before the time expired.

8 **Mr. Verdin:** Anytime you conducted these drills did you simulate sending out distress
9 calls or anything of that nature?

10 **WIT:** Yes. It would be part of the assignment in the wheelhouse that you simulate that
11 that it's basically said simulating, you know doing such.

12 **Mr. Verdin:** Okay. Can you describe to me how would you go about simulating a
13 distress call over the marine radios?

14 **WIT:** Just broadcasting over channel 16 for surrounding vessels that – what our
15 scenario is. That need assistance and LAT and LONG.

16 **Mr. Verdin:** So this would be done verbally?

17 **WIT:** Yes again verbally.

18 **Mr. Verdin:** So no simulations of hitting any of the distress buttons on any of the
19 GMDSS equipment?

20 **WIT:** Yeah that would be part of it, yes.

21 **Mr. Verdin:** Would be on the console, I'm sorry.

22 **WIT:** No not on the console on the VHF.

1 **Mr. Verdin:** So you would simulate hitting the distress button on the VHF as well as
2 verbally announcing the distress call?

3 **WIT:** Yes.

4 **Mr. Verdin:** And again you said you do not hit the distress button, simulating hitting the
5 distress button on the GMDSS console?

6 **WIT:** I can't say that you would always simulate hitting both, no.

7 **Mr. Verdin:** Lieutenant Alger can you pull up Exhibit 202 again picture 319 [showing
8 Exhibit]. While he's bringing that up. Just a general question. Whenever you receive
9 any marine safety information broadcast or information on the NAVTEX did it give an
10 audible alarm of any kind?

11 **WIT:** I don't recall hearing an audible.

12 **Mr. Verdin:** From the NAVTEX?

13 **WIT:** No.

14 **Mr. Verdin:** Did it print out every message, each message or was it selective?

15 **WIT:** Selective printing.

16 **Mr. Verdin:** So the more critical message would be printed automatically and the other
17 messages would just be retained?

18 **WIT:** That's correct.

19 **Mr. Verdin:** In the Chief Mate's testimony he stated that they received an alarm, an
20 audible alarm from the GMDSS console that the printer was out of paper. Could we
21 safely assume that this – one of these printers would be the printer that he was talking
22 about?

23 **WIT:** Yes.

1 **Mr. Verdin:** Do we, excuse me I shouldn't say that. Does the printer automatically give
2 an alarm just whenever it's out of paper?

3 **WIT:** Yes.

4 **Mr. Verdin:** And again does the IMARSAT C give an alarm anytime it receives a
5 message? An alert?

6 **WIT:** Yes.

7 **Mr. Verdin:** If the printer is out of paper would it also let you know that it was unable to
8 print the alert because the paper was out?

9 **WIT:** Yes. You will get an alarm yes.

10 **Mr. Verdin:** And the message would not be able to be printed if the paper was out?

11 **WIT:** Correct.

12 **Mr. Verdin:** Did the POWER have on board any manual concerning GMDSS? Do you
13 recall?

14 **WIT:** I don't recall a manual.

15 **Mr. Verdin:** If you had any questions about your GMDSS systems or capabilities or
16 weather information or broadcast or anything was there any manuals on board that you
17 could reference to find out this information?

18 **WIT:** I know there were test procedures. We had the test procedures posted at the
19 console.

20 **Mr. Verdin:** Right. And that just in the lower left in this picture right here that would be
21 one, what would that describe? What is that right here?

1 **WIT:** That's just a diagram of the console and how the alert system works. The testing
2 procedures would be, you may be able to see them they're behind that screen on the
3 right.

4 **Mr. Verdin:** So you all had written test procedures for it?

5 **WIT:** Yes.

6 **Mr. Verdin:** What about particularly I'm just asking for if there was any manual on
7 board with information from coast stations, what satellites are used, what coast stations
8 to use, what's the best coast stations to program into to receive any of the marine safety
9 information broadcast. Any of the GMDSS master plan or anything like that. Are you
10 familiar with that?

11 **WIT:** I can't say I recall one.

12 **Mr. Verdin:** Okay. That's all I have. Thank you Captain.

13 **CAPT Phillips:** Thank you Mr. Verdin. Mr. Kucharski.

14 **Mr. Kucharski:** Yes Captain Thank you. Captain Timmons a few follow on questions.
15 First off when you said you got internet weather also on board the ship.

16 **WIT:** Yes.

17 **Mr. Kucharski:** Do you know what sources that they were from?

18 **WIT:** Again I can pull it up on, you can pull NOAA, you can pull I'm having a brain lock
19 right at the moment. I can't recall. There were several different sources. But only one,
20 one that we used Buoy Weather. I apologize. Buoy Weather was my common that I
21 had an App for and I could also get to that with my -----

22 **Mr. Kucharski:** And that's the one you usually looked at?

23 **WIT:** That's the one I would use most often.

1 **Mr. Kucharski:** Did you ever look at the NOAA site?

2 **WIT:** Not very often.

3 **Mr. Kucharski:** And how would you – did you have a computer on the bridge?

4 **WIT:** Not on the bridge, no.

5 **Mr. Kucharski:** So would you physically have to go down to your Master's computer
6 and access the internet?

7 **WIT:** Yes, sir.

8 **Mr. Kucharski:** So if you were up on watch on the bridge would you have the Mate
9 come and relieve you or how would you go down and get the -----

10 **WIT:** Well again you can use your phone. We have WiFi.

11 **Mr. Kucharski:** Okay. So you then you would access these other weather sources
12 besides Buoy Weather you would access the other website?

13 **WIT:** You could yes.

14 **Mr. Kucharski:** And were you provided a company cell phone?

15 **WIT:** No, sir.

16 **Mr. Kucharski:** And did you have a satellite phone on board the vessel?

17 **WIT:** No, sir.

18 **Mr. Kucharski:** So did the Sailor, the VSAT SATCOM system are you familiar with
19 that?

20 **WIT:** I'm sorry?

21 **Mr. Kucharski:** The Sailor, took pictures of the Sailor and VSAT SATCOM system.

22 **WIT:** Okay.

23 **Mr. Kucharski:** Are you familiar with that?

1 **WIT:** I'm not very familiar with that.

2 **Mr. Kucharski:** And so if the company didn't provide you with a cell phone how did you
3 talk to them by phone underway?

4 **WIT:** Again we had, the satellite tracked so we had internet while we was underway.
5 So you still had phone and internet communication while you were underway.

6 **Mr. Kucharski:** Okay. You had phone communication so, and internet. Phone
7 communication, I'm just trying to get to, was it through the satellite or was it?

8 **WIT:** Oh yes, I'm sorry. Yeah for, well both the contractors and we had two different
9 satellite services. I'm thinking when you say SAT phone the old, yeah.

10 **Mr. Kucharski:** So it was a satellite service that you could use?

11 **WIT:** That's correct.

12 **Mr. Kucharski:** Okay. So would the company contact you on that phone?

13 **WIT:** Yes.

14 **Mr. Kucharski:** And did you take those calls while you were on the bridge?

15 **WIT:** You could, yes.

16 **Mr. Kucharski:** Did anybody from the company ever call you about weather while you
17 were up on the bridge?

18 **WIT:** I have received calls in the past that look have you seen this or that just in
19 passing communication. You need to be looking out for this or that.

20 **Mr. Kucharski:** And when you say in the past, sorry you've got a long past, so a lot of
21 experience so if could tell us.

22 **WIT:** Yeah. You know as far I guess it varied depending on your vessel

23 superintendent, but some communicate a lot more than others. And, but I have

1 received it in the last I would say in the last two years I've received calls and said hey
2 this, have you seen this, have you seen it. And you can either, you either have or you
3 haven't. But generally the stuff that they're giving me I've probably already seen it.

4 **Mr. Kucharski:** So the superintendent would be like Tommy Saunier?

5 **WIT:** No he's more shipyard, repairs side of things. Our vessel superintendent is totally
6 different.

7 **Mr. Kucharski:** And who, so who would that be?

8 **WIT:** I'm sorry.

9 **Mr. Kucharski:** Who would the superintendent be?

10 **WIT:** Oh my vessel superintendent was, his name has escaped me again. That's sad.

11 **Mr. Kucharski:** Mr. Fremin would that be?

12 **WIT:** Who?

13 **Mr. Kucharski:** Fremin.

14 **WIT:** Fremin yes. Paul Fremin, my bad. Goodness gracious.

15 **Mr. Kucharski:** The watertight, do you have a little watertight door panel on the bridge
16 there on the console? Is there a watertight door panel on the SEACOR POWER to tell
17 you if a watertight door was opened or closed?

18 **WIT:** No. You just, well just in the MCC room.

19 **Mr. Kucharski:** Okay. So there was nothing on the SEACOR POWER, no panel?

20 **WIT:** No.

21 **Mr. Kucharski:** Okay. Back to the stability. You said you calculated the stability
22 sometimes.

23 **WIT:** Yes.

1 **Mr. Kucharski:** And you used a spreadsheet for that, Excel spreadsheet?

2 **WIT:** On the computer, yes.

3 **Mr. Kucharski:** Was it on your computer?

4 **WIT:** No.

5 **Mr. Kucharski:** Who's?

6 **WIT:** Well it was on the Master's computer in the room. Not my personal computer.

7 **Mr. Kucharski:** I'm sorry. So the Master's computer in your room. The, could we look
8 at Exhibit 89, I'm sorry Exhibit 59 page 89 please [showing Exhibit]. Okay. So it says
9 afloat calculation form. Are you familiar with this page?

10 **WIT:** Yes.

11 **Mr. Kucharski:** And it says across there SEACOR POWER marine operations manual.
12 Do you see that?

13 **WIT:** Yes.

14 **Mr. Kucharski:** So this looks familiar and if you scroll down to the next page please
15 Lieutenant it says instructions for checking the jacking load and it says at the top there
16 SEACOR POWER and marine operations manual. Do you see that too?

17 **WIT:** Yes.

18 **Mr. Kucharski:** Okay. And now Lieutenant Alger would you go please to, it's the
19 internal audit again, that's I think Exhibit, that would be Exhibit 83 and please go to page
20 10 [showing Exhibit]. And we're going to look specifically at line 10.6. You see it says
21 stability of the vessel?

22 **WIT:** Okay.

1 **Mr. Kucharski:** You see 14 November 2020 completed, calculated on DIXIE
2 ENDEAVOR sheet. Can you tell me what that means?

3 **WIT:** That's the stability program that we have. We print them out.

4 **Mr. Kucharski:** Okay. And this stability program did you make this stability?

5 **WIT:** Oh no, sir. It was for the vessel.

6 **Mr. Kucharski:** It was for the vessel?

7 **WIT:** Yes.

8 **Mr. Kucharski:** Was it there when you got on the vessel?

9 **WIT:** That is correct.

10 **Mr. Kucharski:** The same program?

11 **WIT:** Same one.

12 **Mr. Kucharski:** Okay. So I want to show you the SEACOR POWER and it says DIXIE
13 ENDEAVOR. Can you tell me why it shows DIXIE ENDEAVOR?

14 **WIT:** The name was just never changed on the program.

15 **Mr. Kucharski:** Okay. But do you know that was updated? Was it ever compared, the
16 form that you – that we showed you before? Was it – did you ever compare the values
17 there by longhand to see if they -----

18 **WIT:** I have not.

19 **Mr. Kucharski:** So you don't know as we sit here if it was calculated on DIXIE
20 ENDEAVOR, if that was from the DIXIE ENDEAVOR and not the SEACOR POWER?

21 **WIT:** Well it's – the vessel is one of the same. So it would still be for the same vessel
22 just a different name.

1 **Mr. Kucharski:** And my last questions a little bit more general would you have
2 expected SEACOR POWER to survive with wind gusts of 80 knots?

3 **WIT:** A wind gust.

4 **Mr. Kucharski:** A gust, just a gust.

5 **WIT:** I would suspect it would if it was short.

6 **Mr. Kucharski:** Thank you Captain. That's it Captain Phillips.

7 **CAPT Phillips:** Thank you Mr. Kucharski. At this time I'm going to ask our parties in
8 interest if they have questions for you. I'm going to start with the American Bureau of
9 Shipping.

10 **Mr. White:** Good morning Captain. My name is Jerry White and I represent ABS. I
11 would like to visit the trim calculations you described this morning. As far as guidelines
12 for trim are you aware of a trim restriction in the operating manual of not greater than 6
13 inches, correct?

14 **WIT:** Yes.

15 **Mr. White:** And as far as the Excel spreadsheet or the program that was on the
16 Master's computer did that similarly have a trim restriction?

17 **WIT:** Yes it had it noted in there as well.

18 **Mr. White:** And you mentioned in your background a vessel called the MIAMI. And are
19 there any other vessels that use the similar computer program including the MIAMI that
20 you referenced this morning?

21 **WIT:** Yes.

22 **Mr. White:** And help me with the MIAMI, the MIAMI is a former SEACOR vessel, is that
23 correct?

1 **WIT:** Yes it is.

2 **Mr. White:** Okay. And what's the size of the MIAMI?

3 **WIT:** That's a 265 class.

4 **Mr. White:** 265.

5 **WIT:** Yes, sir.

6 **Mr. White:** And to the best of your understanding that too used that program that you
7 used for the SEACOR POWER?

8 **WIT:** A similar one, yes.

9 **Mr. White:** Based on your calculations for trim I understood that you apply the 4 foot
10 correction to the aft draft, is that correct?

11 **WIT:** That is correct.

12 **Mr. White:** And in making that correct is that something was the, or what was the basis
13 for the draft correction? Is there something in the operations manual or was it
14 something in the computer program?

15 **WIT:** The stern readings start at 4 foot because of the underwater gear. So you don't
16 start calculating buoyancy until you reached the hull.

17 **Mr. White:** And is that something you did based on your observation or was there
18 some written criteria that you followed to apply that correction?

19 **WIT:** That's an observation.

20 **Mr. White:** Observation. And in been answering some of the questions from the panel
21 they asked some questions on trim. You indicated that you didn't want the trim to be
22 excessive and if I can delve down into that a little bit. What did you consider to be an
23 excessive trim when afloat?

1 **WIT:** I would say getting around 3, 3 feet or so. I don't have, again a lot of it is by feel
2 and not so much by numbers as I testified earlier. As you jack down you get a feel of
3 the vessel as to how she is sitting. And then you confirm it with your numbers. But I
4 would say a draft of 3 feet would start raising eyebrows.

5 **Mr. White:** And just getting back to trim, you mentioned based on your calculations the
6 8 foot 4 and the 14 less the 4 feet resulted in a two foot trim on the stern based on your
7 calculations described this morning. Was – would a 2 foot trim by the stern be typically
8 the trim that you would customarily would sail with based on your experience, is that a
9 fair assessment?

10 **WIT:** That is a fair assessment.

11 **Mr. White:** And evaluating the trim or looking to reduce the trim have you ever
12 considered ballasting any of the tanks on the SEACOR POWER?

13 **WIT:** No. We usually use equipment mainly to balance the vessel. No, no ballast
14 water.

15 **Mr. White:** And help me with that. As far as equipment you would use to diminish the
16 trim if it was in excess or not what you desired. Are you referring to the cargo and what
17 would you do with that cargo to diminish the excess trim by the stern?

18 **WIT:** Well again I've never experienced that. This is hypothetical because I've never
19 experienced that. So again we're going into hypothetical. But as far as reducing trim
20 with cargo it's always easiest just to shift heavy equipment forward.

21 **Mr. White:** Okay. And I'm just looking into your rule of thumb or your experience on
22 that. Typically where would you place cargo on the vessel? Was there a specific point

1 or distance from the bow or distance from the house that typically the cargo would be
2 stowed?

3 **WIT:** Just heavy equipment as far forward as you could get it.

4 **Mr. White:** You mentioned securing for sea and the issues that you had in the past
5 voyage at 3 a.m. when there was a report coming into the galley. As far as your
6 experience and your practices it was your practice to ensure that all watertight doors
7 were secure prior to getting underway, correct?

8 **WIT:** Absolutely.

9 **Mr. White:** Now on the last voyage when you received the report that there was water
10 or some evidence of water into the galley how was that remedied? What was done?

11 **WIT:** The doors were dogged down and the water was cleaned up. And we reiterated
12 with the gentlemen that transited the door to not go outside until notice.

13 **Mr. White:** Understood. Captain I have nothing further. Thank you for your testimony
14 today, sir.

15 **CAPT Phillips:** Thank you Mr. White. SEACOR Marine and Flacon Global.

16 **Ms. Apps:** Thank you Captain Phillips. Captain Timmons my name is Antonia Apps, I
17 represent SEACOR Marine. I have a couple follow up questions. You were asked a
18 number of questions about various weather instruments on the bridge including the
19 GMDSS console and the NAVTEX system and radios. Do you recall being asked about
20 those topics?

21 **WIT:** Yes.

22 **Ms. Apps:** When you left the SEACOR POWER on April 13th were all of those weather
23 instruments on the bridge working to your knowledge?

1 **WIT:** Yes.

2 **Ms. Apps:** You were asked about an alarm that goes off when the printer on the
3 GMDSS console is out of paper. When you left the SEACOR POWER on April 13th was
4 that alarm making a noise or going off?

5 **WIT:** No.

6 **Ms. Apps:** With respect to checking the weather before you get underway for a
7 particular voyage do you regard it as your responsibility as the Captain to check the
8 weather and understand what the weather will be for the voyage?

9 **WIT:** Absolutely.

10 **Ms. Apps:** And I think you mentioned you do a voyage plan for where the vessel is
11 going to go in advance of leaving or getting underway, is that right?

12 **WIT:** That's correct.

13 **Ms. Apps:** When you prepare that voyage plan do you consider the weather at the
14 different locations along the voyage?

15 **WIT:** Yes.

16 **Ms. Apps:** You talked about Buoy Weather service or App I think you referred to that
17 the company subscribes to, do you recall being asked about that topic as well?

18 **WIT:** Yes.

19 **Ms. Apps:** And I think you said while it's a company you as the Captain also had
20 access to that particular weather service, did I hear that right?

21 **WIT:** Yes.

22 **Ms. Apps:** And I think you said you could access it on the Captain, excuse me, you
23 could access it on the computer that's in the Captain's office on the ship, is that right?

1 **WIT:** Yes.

2 **Ms. Apps:** And I think you also said you could access it on a phone, do you mean a
3 smart phone?

4 **WIT:** Yes, a smart phone.

5 **Ms. Apps:** And you said that the company had not purchased you a smart phone, is
6 that right?

7 **WIT:** Correct.

8 **Ms. Apps:** Did you, while you were working for SEACOR in the last couple of years did
9 you yourself own a smart phone?

10 **WIT:** Yes.

11 **Ms. Apps:** So you have your own personal smart phone, is that right?

12 **WIT:** Yes.

13 **Ms. Apps:** Could you access the Buoy Weather App on that personal smart phone that
14 you owned?

15 **WIT:** Yes.

16 **Ms. Apps:** Just a couple more questions about the Buoy Weather information. When
17 you access the Buoy Weather service, and I'm talking about the service that you're
18 accessing that SEACOR subscribes to, when you access that information are you able
19 to understand or see current weather or forecasted weather, or both?

20 **WIT:** It's projected weather.

21 **Ms. Apps:** Projected weather. And are you able to move the mouse around or access
22 different locations on that subscription service or is it just one location?

23 **WIT:** No wherever, you can get different site.

1 **Ms. Apps:** So there's a way of using that service by determining predicted weather for
2 different locations along the route that you might be taking?

3 **WIT:** Yes.

4 **Ms. Apps:** I think you mentioned a number of times that, well let me start with this. If
5 you were not comfortable with the weather conditions before you got underway on a
6 voyage and you made a determination that it was not safe to travel, did you ever receive
7 pressure from SEACOR to travel or to leave the dock nonetheless?

8 **WIT:** No.

9 **Ms. Apps:** If you were out at sea already underway, I'm going to ask you the same
10 question. Out at sea already underway did you ever, and you determined that you
11 wanted to jack up because whatever the conditions were, did you ever get pressure
12 from SEACOR that you could not jack up if it was the right thing to do?

13 **WIT:** Not at all.

14 **Ms. Apps:** In either case whether you're delaying for a voyage or whether you're
15 jacking up out while you're underway, were you ever penalized financially for delaying
16 the voyage for jacking up because of weather?

17 **WIT:** No.

18 **Ms. Apps:** You were asked numerous questions about the safety drills that you did and
19 so I'm not going to go over all of those. I think I, I wasn't sure I heard you say whether
20 when you do the pre-departure orientation with the new crew members coming on, do
21 you also do a risk assessment with the new, as part as that orientation?

22 **WIT:** With the contractors?

23 **Ms. Apps:** Yes.

1 **WIT:** No.

2 **Ms. Apps:** That's with the SEACOR crew only?

3 **WIT:** That's the crew.

4 **Ms. Apps:** Do you indicate to the larger group including the contractors where their
5 muster station is?

6 **WIT:** Absolutely.

7 **Ms. Apps:** Do you indicate where life jackets may be?

8 **WIT:** Yes.

9 **Ms. Apps:** Are there life jackets in each room within the lodging area on the boat?

10 **WIT:** Yeah there's life jackets for every bunk.

11 **Ms. Apps:** Are there also life jackets out on the deck?

12 **Ms. Apps:** They don't remain on the deck while we're underway. Those are for when
13 we're elevated those are extra life jackets that we place out there. So when we're
14 elevated the guys don't have to come back in for a life jacket. They may be on tower
15 working on deck. That's not the case when we're underway. Everybody is going to be
16 in their stateroom or inside the quarters. They can get their life jacket from their room.

17 **Ms. Apps:** I think I may have heard you also talk about JSA as part of the pre-
18 departure safety orientation that you do. What is a JSA?

19 **WIT:** That's a job safety analysis.

20 **Ms. Apps:** And you mentioned also before you depart you went through a checklist,
21 which I think you said was based on SEACOR's SMS system, or safety management
22 system. Do you recall being asked about that?

23 **WIT:** Yes.

1 **Ms. Apps:** I wasn't sure if you said this, but do you complete that pre-departure
2 checklist before you get underway?

3 **WIT:** Absolutely.

4 **Ms. Apps:** You were asked about the speed of which – in jacking up, the speed at
5 which the legs go down. And I think you said at times one leg may move faster than the
6 other. Do you recall that testimony earlier?

7 **WIT:** Yes.

8 **Ms. Apps:** Are you able to see that or determine that as it's – as you are jacking down?

9 **WIT:** Yes with your leg counters.

10 **Ms. Apps:** And is there a way for you to make adjustments to the speed of which each
11 leg is jacking down so you can take account of that differential?

12 **WIT:** Absolutely.

13 **Ms. Apps:** And do you do that when you were jacking down?

14 **WIT:** Yes.

15 **Ms. Apps:** Also I think you were talking about a differential in the leg speed when
16 jacking down a distance of, I thought I heard you say in excess of 100 feet, I'm not sure
17 exactly what number you said.

18 **WIT:** 150 feet you may get a 3 to 4 foot differential. It's very minute.

19 **Ms. Apps:** If you were just jacking down in 50 or so feet would you notice that?

20 **WIT:** You wouldn't even notice.

21 **Ms. Apps:** Just one moment. I want to ask you about a little bit more about
22 documentation. Lieutenant Alger may I ask you to display Exhibit 137 [showing Exhibit].
23 Thank you. Captain Timmons do you see that on the screen?

1 **WIT:** I can.

2 **Ms. Apps:** This is a message from the SEACOR POWER to a distribution email that's
3 written Dist SOM Vessel Ops. Do you recognize?

4 **WIT:** Yes. That looks like my morning report.

5 **Ms. Apps:** So the document that we're looking at on the screen which was sent on
6 April 13th, 2021 at 5:27 a.m. was your morning report, is that right?

7 **WIT:** Correct.

8 **Ms. Apps:** Lieutenant Alger would you mind scrolling to the second page? And if you
9 can see on the screen there Captain Timmons there is an entry for weather and it says
10 sky clear, winds Southeast 10 miles per hour, seas, I guess is that not available?

11 **WIT:** Not applicable, right.

12 **Ms. Apps:** Visibility 3 to 4 miles. Do you see that?

13 **WIT:** Yes.

14 **Ms. Apps:** So this was the weather report that you entered shortly before leaving the
15 ship on April 13th, is that right?

16 **WIT:** Correct.

17 **Ms. Apps:** And do you recall where you got that information from?

18 **WIT:** Just visual.

19 **Ms. Apps:** Might you also checked the Buoy Weather data at that time, do you
20 remember one way or the other?

21 **WIT:** I don't think I did that morning. Retained by visual.

22 **Ms. Apps:** I think you mentioned that in your experience it was not common for the
23 galley doors to be opened but it happened occasionally. I think you said something to

1 the effect that you didn't appreciate it when you learned the galley doors were opened
2 underway. Did you take any action?

3 **WIT:** Absolutely.

4 **Ms. Apps:** What did you do?

5 **WIT:** Well find out, you try to find out who actually exited the door, entered the door and
6 didn't dog it. But just let them know that those doors are not for transit while underway
7 for everybody. Now I'll grant you Engineer may use it to get, you know through there
8 and get into his galley, but he's going to dog it.

9 **Ms. Apps:** And that's because in the engineer room has it's own separate watertight
10 doors, is that right.

11 **WIT:** That's correct.

12 **Ms. Apps:** And are there any restroom facilities in the engine room and down there
13 wherever he's located?

14 **WIT:** I'm sorry.

15 **Ms. Apps:** Are there any bathroom facilities in the engine room?

16 **WIT:** No.

17 **Ms. Apps:** So if he needs to come and use the bathroom he would have to come out --

18 --

19 **WIT:** Yes.

20 **Ms. Apps:** And use the galley door, is that right?

21 **WIT:** Well a lot of times if he's coming to go to the restroom there's no restrooms on the
22 main deck so he would come out of his engine room and he could go up to the O1 level
23 and use the restroom up there.

1 **Ms. Apps:** You I think testified for the last couple of years you were Captain of the
2 POWER alternating with Captain Ledet, is that right?

3 **WIT:** Correct.

4 **Ms. Apps:** Prior to sailing the POWER you were Captain on another SEACOR vessel?

5 **WIT:** Yes. It's SEACOR INFLUENCE.

6 **Ms. Apps:** And is that vessel still owned by SEACOR?

7 **WIT:** No it was sold.

8 **Ms. Apps:** And was it sold to a company that you are now working for?

9 **WIT:** Yes.

10 **Ms. Apps:** Do you consider it important to have knowledge of the vessel that you are
11 Captain on?

12 **WIT:** It definitely helps, yes.

13 **Ms. Apps:** And is one of the reasons you left SEACOR because, and went to work for
14 the company that know owns that vessel is because you're comfortable and
15 knowledgeable about that vessel?

16 **WIT:** Yes.

17 **Ms. Apps:** Really my last questions is I know you know, you knew Captain Ledet. How
18 would you describe him as a Captain in terms of his ship handling ability, his appetite for
19 weather and other things?

20 **WIT:** He was a good Captain. A good man.

21 **Ms. Apps:** Do you think he was generally conservative when he would travel?

22 **WIT:** Absolutely. One of the safest guys out there.

1 **Ms. Apps:** One moment. Thank you Captain Timmons for your time today. I have
2 nothing further Captain Phillips.

3 **CAPT Phillips:** Thank you Ms. Apps. First Mate.

4 **Mr. Sterbcow:** Good morning Captain. My name is Paul Sterbcow I represent Bryan
5 Mires, the First Mate who was on the SEACOR POWER. Do you know of any situation
6 where Captain Ledet would put, knowingly put his crew or his vessel at risk based on
7 the weather condition?

8 **WIT:** Never.

9 **Mr. Sterbcow:** Do you have any reason to believe that Captain Ledet had any idea of
10 the weather they encountered was about to hit them?

11 **WIT:** Absolutely not.

12 **Mr. Sterbcow:** Let me go, Lieutenant Alger let's go to Exhibit 139 if you would
13 [showing Exhibit]. This is an email sent from 12:17 p.m. from the SEACOR POWER to
14 Dist SOM Vessel Ops. It looks like it's from, it says David, looks like it's from Captain
15 Ledet letting the company know that he's leaving, is that fair?

16 **WIT:** Yes.

17 **Mr. Sterbcow:** And would you typically send a similar email when you left the dock?

18 **WIT:** Yes.

19 **Mr. Sterbcow:** Do you know who receives an email sent to Dist SOM Vessel Ops?

20 **WIT:** That's a distribution to all operations. Anybody who's involved in operations.

21 **Mr. Sterbcow:** Okay. Does the dispatcher get that as well?

22 **WIT:** Yes.

1 **Mr. Sterbcow:** Is the dispatcher responsible for knowing where the vessel is at any
2 given time?

3 **WIT:** I would, yeah I would say that's part of their responsibility, yes.

4 **Mr. Sterbcow:** Do you know of any other of the operations folks who had the
5 responsibility to know if asked where the SEACOR POWER was at any given time?

6 **WIT:** Vessel Superintendent.

7 **Mr. Sterbcow:** Who's that?

8 **WIT:** The vessel superintendent.

9 **Mr. Sterbcow:** Superintendent. Is that that fellow uh?

10 **WIT:** Paul Fremin.

11 **Mr. Sterbcow:** Thank you. Anybody else besides him and the dispatcher?

12 **WIT:** No. Not directly.

13 **Mr. Sterbcow:** Would there be any verbal communication typically between the
14 Captain and somebody in operations in addition to email just letting them know hey I'm
15 taking off?

16 **WIT:** Sometimes, but not mandatory.

17 **Mr. Sterbcow:** Not mandatory, okay. So is it fair to say that the email we just looked at
18 would be standard operating procedure from the vessel standpoint as the formal
19 notification to the operations folks that you were in fact getting underway?

20 **WIT:** Yes. And a vessel superintendent is also going to be aware of your timeline, you
21 know.

22 **Mr. Sterbcow:** He's aware – he's got the same information you do?

23 **WIT:** Sure.

1 **Mr. Sterbcow:** Okay. Do you know whether or not the dispatcher would have as much
2 information as the superintendent?

3 **WIT:** I don't think he's as directly involved as the vessel superintendent is, is day to day
4 to operations. Because he has a lot more vessels to tend to.

5 **Mr. Sterbcow:** Lieutenant would you pull up Exhibit 136 please and go to, we have to
6 start at page 2 [showing Exhibit]. Bottom of 1, top of 2. This looks like communication, I
7 think between yourself and Michael Cenac regarding the need to replace the life raft as
8 a result of the prior voyage, is that fair?

9 **WIT:** That is.

10 **Mr. Sterbcow:** What is a 19100 incident report?

11 **WIT:** It's just the number of our – of that particular report.

12 **Mr. Sterbcow:** It's just a form number?

13 **WIT:** It's a form number.

14 **Mr. Sterbcow:** So that's – is that where you memorialized what happened?

15 **WIT:** I'm sorry.

16 **Mr. Sterbcow:** Is that the form that you would use to let SEACOR know what
17 happened?

18 **WIT:** Well an email and then in addition to following up with that report, yes. Initially it
19 will be email and possibly verbal.

20 **Mr. Sterbcow:** Okay. Is that a report that is actually on a sheet that you write out or is
21 it computerized?

22 **WIT:** Yes it's on a sheet.

23 **Mr. Sterbcow:** Sheet. And you turn that in?

1 **WIT:** Yes.

2 **Mr. Sterbcow:** Who gets that?

3 **WIT:** It will go to all of safety.

4 **Mr. Sterbcow:** Same group basically?

5 **WIT:** Not operations, but safety.

6 **Mr. Sterbcow:** safety, alright. And what is a level 1 investigation?

7 **WIT:** It's the lowest form basically getting all the information that's needed. As it
8 escalates based on severity.

9 **Mr. Sterbcow:** So level 1 is, severity goes up with the numbers?

10 **WIT:** Yes.

11 **Mr. Sterbcow:** Okay. And was the local Coast Guard notified of the lost life raft?

12 **WIT:** Yes they were.

13 **Mr. Sterbcow:** They were, so they knew?

14 **WIT:** Yes.

15 **Mr. Sterbcow:** And I think going up to the top basically it's a series of emails whereby
16 you confirm that Monday April 12th, 7:07 p.m. that the new life raft was now on board,
17 mounted in place and you were ready to go.

18 **WIT:** Yes.

19 **Mr. Sterbcow:** Okay. Now if you would Lieutenant pull up Exhibit 140 [showing
20 Exhibit]. And I'm asking, this report looks similar if not exactly the same in form to your
21 morning report earlier. This was sent on April 13th at 3:07 p.m. to the same operations
22 folks. Is this a standard form report, what you called the morning report?

23 **WIT:** Yes.

1 **Mr. Sterbcow:** And would this represent the report, if you know that would have been
2 sent by Captain Ledet to the office at 3:07?

3 **WIT:** Yes.

4 **Mr. Sterbcow:** And is that standard operating procedure as well?

5 **WIT:** It is.

6 **Mr. Sterbcow:** If we go down to weather. Is the weather that noted in the morning
7 report like yours and this one, is that typically based on Captain's visual observations of
8 the environment at that point?

9 **WIT:** Yes.

10 **Mr. Sterbcow:** You don't go to the myriad of weather devices that might be available,
11 you look around and you type information, correct?

12 **WIT:** Yes.

13 **Mr. Sterbcow:** Okay. So at 3:07 Dave Ledet reported cloudy skies, Southeast wind 12
14 to 20, 3 to 4 foot seas, visibility 3 to 4 miles. That appears to be well within the safe
15 operating limits of the SEACOR POWER with respect to weather, correct?

16 **WIT:** Absolutely.

17 **Mr. Sterbcow:** If there was any concern about weather from his perspective at 3:07
18 p.m. would he have used this report or some other mechanism to communicate with the
19 office about that concern?

20 **WIT:** I don't know that, I mean he could call. He would call the office if there was a
21 concern. He would let them know I'm going to jack or whatever.

22 **Mr. Sterbcow:** Okay. So he could do – there was no set procedure he could do what
23 he wanted?

1 **WIT:** No, absolutely. He's going to be looking for a safe jacking location if it was a
2 concern and let them know what he's going to do. It's not like we called and asked
3 permission.

4 **Mr. Sterbcow:** Right.

5 **WIT:** To do anything.

6 **Mr. Sterbcow:** If about a half an hour later the vessel found itself in heavy weather that
7 involved a squall with a 79 mile an hour wind gust followed by a lull and then a second
8 squall had caused whiteout conditions. Would you think that Captain Ledet and First
9 Mate Mires would try to soft tag at that point?

10 **WIT:** Yes.

11 **Mr. Sterbcow:** Would that be what you would do in that situation?

12 **WIT:** Absolutely.

13 **Mr. Sterbcow:** And if the First Mate turned the boat from a more Southerly or
14 Southeast orientation toward the East trying to get into bow to the North, which is where
15 the wind was coming from, would that again be standard operating procedure?

16 **WIT:** Yes. I mean it's something that you normally do. You normally bow into your
17 greatest source. In hindsight, maybe not.

18 **Mr. Sterbcow:** Now why do you say that?

19 **WIT:** Well again because your most reserve buoyancy is on your bow. So you know of
20 course if you could possibly have that force pushing on your bow from your stern, again
21 hindsight that would be a better.

22 **Mr. Sterbcow:** Okay. So if they find themselves in a whiteout situation where the wind
23 is coming out of the North and they're oriented to the East at that point. So they're

1 taking the seas on the port side, right? Is there a specific procedure that should be
2 followed at that point in terms of how you turn the vessel?

3 **WIT:** No.

4 **Mr. Sterbcow:** So him turning towards the North to try to get the bow to the sea
5 conceptionally is the right thing to do?

6 **WIT:** Yes. Oh absolutely. I misunderstood you.

7 **Mr. Sterbcow:** I apologize. It was poorly worded. Now let me ask you, and let me
8 preface by saying if you don't know, don't hesitate to tell me you don't know. But Mr.
9 Mires testified that he turn towards the North and told Captain Ledet that he felt like the
10 vessel was going over. Captain Ledet took control and then tried to turn the vessel
11 starboard, the other way toward the South.

12 **WIT:** Correct.

13 **Mr. Sterbcow:** As you hearing that as a Captain do you have any idea what might
14 have been going through Captain Ledet's mind at that point turning the vessel the other
15 way?

16 **WIT:** Yes. If the vessel is not turning into the wind you want to turn it back. And again
17 get the force on your stern.

18 **Mr. Sterbcow:** So is that a situation where the wind had prevented the vessel from
19 completing a turn or stop it all together the thing to do is try to go the other way?

20 **WIT:** Correct.

21 **Mr. Sterbcow:** Okay. And I think you had said earlier you encountered a situation
22 where a strong wind affected your ability to turn to port or starboard?

23 **WIT:** Yes.

1 **Mr. Sterbcow:** If we go, Captain would you go – Lieutenant would you go to Exhibit 1
2 [showing Exhibit]. And it's slide 7. This is the last vessel track line that we have. And
3 I'm going to the entry right before it says, 15:42 EPIRB cross fix, the one just before
4 that. It says last AIS transmission was at 1539, 3:39 p.m. It give a heading of 084.
5 Now is that close to a due East heading?

6 **WIT:** Yes it is.

7 **Mr. Sterbcow:** Then it says course 154. What does that tell you?

8 **WIT:** That means they're set to the South.

9 **Mr. Sterbcow:** Does that mean that while they're oriented toward the East they're
10 being pushed to the South?

11 **WIT:** That is correct.

12 **Mr. Sterbcow:** So at that point is the starboard side of the vessel, or the waves, is she
13 going into the seas abeam starboard side? Sideways.

14 **WIT:** Well keep in mind initially when they were heading out their forces were out of the
15 Southeast. So the swells and the seas were coming from the Southeast. And then this
16 new wind, which is again it's a new force is now coming out of the North. So you can
17 actually see seas on your starboard while receiving excessive winds on your port.

18 **Mr. Sterbcow:** Okay. So if a vessel like the SEACOR POWER as a Captain operating
19 the vessel you can actually be in a situation where you could be oriented, excuse me in
20 a given direction, but because of the wind state and the sea state the wind could actually
21 push you directly into the seas?

22 **WIT:** Absolutely.

1 **Mr. Sterbcow:** And is does this information give you enough to conclude that that's
2 exactly what happened to them?

3 **WIT:** I would say that, yes.

4 **Mr. Sterbcow:** Does this situation make a boat like the SEACOR POWER much more
5 vulnerable to flipping to the starboard side?

6 **WIT:** I think the winds that they experienced that day would make it very vulnerable.

7 **Mr. Sterbcow:** And would she be more vulnerable than a V hull offshore supply
8 vessel?

9 **WIT:** Well yeah, well I wouldn't say it's because of the design of the hull as much as I
10 would it's the VCG's. The legs being so tall.

11 **Mr. Sterbcow:** That's what I, okay. Do the legs, an obviously they have them jacked
12 up when you're underway.

13 **WIT:** Right, absolutely.

14 **Mr. Sterbcow:** So the legs are all the way up. And weren't these legs, are you aware of
15 the fact that the legs had been lengthened previous?

16 **WIT:** Yes I was aware.

17 **Mr. Sterbcow:** Were you there at that time?

18 **WIT:** No.

19 **Mr. Sterbcow:** Okay. So do you have any idea around surrounding circumstances to
20 why they were lengthened?

21 **WIT:** No. Everything would be an assumption.

22 **Mr. Sterbcow:** Does lengthening the legs do anything, to your knowledge other than
23 making the vessel increasing the vessel's ability to operate in deeper water?

1 **WIT:** Correct, more marketable.

2 **Mr. Sterbcow:** More marketable. Does lengthening the legs do anything to improve or
3 hurt the ability to manage the vessel in heavy winds?

4 **WIT:** I wouldn't say either way. It could effect it a little bit more. I think 15 feet of leg
5 may effect it some, of course it's going to increase the VCGs.

6 **Mr. Sterbcow:** Okay. So would it make, would it make to some extent, you don't have
7 to quantify, but would it make this vessel more vulnerable to those winds? The longer
8 the legs the more vulnerable?

9 **WIT:** Yes slightly, sure.

10 **Mr. Sterbcow:** Now on the previous voyage that you were on I think you said that you
11 were actually off duty and asleep when the SEACOR POWER encountered that bad
12 weather. And you had to be, somebody came and woke you up.

13 **WIT:** Well it was two, it was two different times. We experienced marginal weather
14 conditions on the way in. That is what the Mate experienced. And was receiving water
15 in the galley. I received the wind gusts after day break while I was on tower. And that's
16 when I jacked up.

17 **Mr. Sterbcow:** Okay, thank you. That confused me. Which of those weather events
18 caused damage to the vessel?

19 **WIT:** I would say it was the transit, the initial transit.

20 **Mr. Sterbcow:** The initial transit.

21 **WIT:** Yes.

22 **Mr. Sterbcow:** So would the life raft and the grating around the crane had been
23 effected before you got up when you were in the wheelhouse?

1 **WIT:** Correct.

2 **Mr. Sterbcow:** Okay. Lieutenant Alger would you pull up Exhibit 202 page 284
3 [showing Exhibit]. Now this is a photograph taken during a survey but it looks like it's
4 the starboard side of the SEACOR POWER.

5 **WIT:** Correct.

6 **Mr. Sterbcow:** Okay. The grating that was damaged during that voyage that had to be
7 replaced is that the round grating on the leg that's shown in this picture on the bow?

8 **WIT:** Yeah it would be that first level between the crane and the deck. There's grating
9 in that for the guys to walk around and get up into the crane.

10 **Mr. Sterbcow:** Okay. So the grated walkway that was damaged at the bottom of that
11 handrail, that circular handrail?

12 **WIT:** Correct.

13 **Mr. Sterbcow:** How high off of the deck is that grating?

14 **WIT:** I would say 10 feet.

15 **Mr. Sterbcow:** And are the three, I'll call them white barrel looking things in racks, are
16 those the life boats we're talking about?

17 **WIT:** The life rafts.

18 **Mr. Sterbcow:** Life rafts, I'm sorry. Do you know which one of those was lost?

19 **WIT:** Yeah it would be the center.

20 **Mr. Sterbcow:** The center one. And how high is that off the deck?

21 **WIT:** About 6 feet.

1 **Mr. Sterbcow:** So on the voyage that you discussed the SEACOR POWER
2 encountered seas sufficient to damage grating 10 feet above the deck and remove a life
3 boat, a life raft 6 feet off of the deck?

4 **WIT:** The splash, yes.

5 **Mr. Sterbcow:** And it was the splash, the water?

6 **WIT:** The splash, correct. Not ground, not the swell itself.

7 **Mr. Sterbcow:** Okay. Do you know of any device aboard the SEACOR POWER that
8 warned you or the Mate that this weather was coming?

9 **WIT:** I'm sorry repeat the question.

10 **Mr. Sterbcow:** Was, and if you can testify for the First Mate and if you can't tell me, but
11 did your vessel have any warning that weather sufficient to cause that damage was
12 coming? Did you know it was coming?

13 **WIT:** The sea conditions that we were running in were again marginal and it was the
14 fact that we was hitting them abeam. It's the direction of which we were hitting them
15 that caused the damage.

16 **Mr. Sterbcow:** Alright. And I may have misunderstood. Did you say that the winds
17 during that voyage hit, or maybe it might have been around this time in excess of 45
18 miles per hour?

19 **WIT:** It was. Once I got up and I took over the tower it was just a squall coming
20 through, it actually came from the North.

21 **Mr. Sterbcow:** Just like the weather did that hit, alright. So you had a similar situation,
22 squall from the North, you encountered it and the wind was how fast?

23 **WIT:** It peaked to 48.

1 **Mr. Sterbcow:** Did you have any warning in the bridge from any instruments available
2 that that storm was coming?

3 **WIT:** No.

4 **Mr. Sterbcow:** Are you aware of any damage other than the grating and the life raft
5 caused by that storm?

6 **WIT:** No.

7 **Mr. Sterbcow:** When the vessel went back in port for repairs and before the voyage
8 the morning of April 13, do you know whether or not any hull inspection or deck
9 inspection was done to make sure that there was no additional damage?

10 **WIT:** Just a visual walk around.

11 **Mr. Sterbcow:** Would that have been you?

12 **WIT:** Yes.

13 **Mr. Sterbcow:** So you did that?

14 **WIT:** Yes.

15 **Mr. Sterbcow:** And you were satisfied that everything was okay?

16 **WIT:** Yes.

17 **Mr. Sterbcow:** Okay. Was Mr. Fremin around at that point?

18 **WIT:** Mr. Fremin, no.

19 **Mr. Sterbcow:** Fremin, I'm sorry. Did you see Mr. Fremin that morning?

20 **WIT:** No.

21 **Mr. Sterbcow:** Do you know if he was ever on site from 0600 until the time the
22 SEACOR POWER left a little after noon?

23 **WIT:** I wouldn't know that.

1 **Mr. Sterbcow:** Do you have any knowledge regarding a crack that was discovered in
2 the starboard leg of the SEACOR POWER about six years ago?

3 **WIT:** No, sir.

4 **Mr. Sterbcow:** Do you have any knowledge of the decision making surrounding the
5 decision to remove high water leg alarms aboard the SEACOR POWER?

6 **WIT:** No, sir.

7 **Mr. Sterbcow:** Did you even know that was done?

8 **WIT:** I had heard that there was some on the vessel at one time. I've never ran the
9 vessel with them.

10 **Mr. Sterbcow:** So by the time you were assigned to SEACOR POWER they were
11 gone?

12 **WIT:** Right.

13 **Mr. Sterbcow:** Part of the safety training that you mentioned before was EPIRB
14 training.

15 **WIT:** EPIRB, yeah.

16 **Mr. Sterbcow:** So you're familiar with the system?

17 **WIT:** Absolutely.

18 **Mr. Sterbcow:** When a vessel sends out an EPIRB distress transmission does that
19 mean that vessel needs help?

20 **WIT:** Yes.

21 **Mr. Sterbcow:** It's not an equitable thing, that's a signal that means we need
22 assistance as fast as possible?

23 **WIT:** That's its meaning, yes.

1 **Mr. Sterbcow:** Do you know what the internal procedure was at SEACOR in terms of
2 designated contact persons to receive calls from the Coast Guard when the Coast
3 Guard received an EPIRB signal from the SEACOR POWER?

4 **WIT:** I wouldn't be privy to that.

5 **Mr. Sterbcow:** That's not – never discussed with you?

6 **WIT:** No.

7 **Mr. Sterbcow:** Given your position, your experience would you expect such a phone
8 call to go to Paul? Or do you have any expectation?

9 **WIT:** I have no expectation where it would go.

10 **Mr. Sterbcow:** Alright. Whoever would receive that call as the Captain of the SEACOR
11 POWER would you expect that person to know where the vessel was located when the
12 distress signal was sent?

13 **WIT:** I would hope so, yes.

14 **Mr. Sterbcow:** And if we heard testimony earlier in this proceeding that the Coast
15 Guard, a person in the Coast Guard contacted upon receipt of the EPIRB transmission
16 and SEACOR was told that the vessel at 3:40 p.m. was still at the dock. Does that
17 surprise you?

18 **WIT:** Yes.

19 **Mr. Sterbcow:** Should who ever received that call, in your opinion had known exactly
20 where this vessel was when it sent that distress signal?

21 **WIT:** I would hope so.

22 **Mr. Sterbcow:** But as a vessel Captain you were never involved in any meetings or
23 any procedures on how EPIRB transmissions would be handled?

1 **WIT:** No.

2 **Mr. Sterbcow:** Okay. Lieutenant would you pull up Exhibit 59 page 60 [showing
3 Exhibit]. I just have a couple quick questions. You looked at this before with Mr.
4 Kucharski. My question is are you aware of any other written policies or procedures,
5 SEACOR polices or procedures regarding how a Captain and crew are supposed to
6 handle heavy weather and weather monitoring other than this document?

7 **WIT:** No. We're guided by the operations manual.

8 **Mr. Sterbcow:** Okay. Because this is in the operations manual is the go to writing
9 when you have questions about heavy weather or weather monitoring?

10 **WIT:** Well I can't say – I would say most of what we do as far as weather is going to be,
11 you're going to get it from your general knowledge and experience. You're not reading
12 a manual each time before you depart port to determine what you're going to do in the
13 event of weather.

14 **Mr. Sterbcow:** In terms of what SEACOR provided though, can I conclude that this – at
15 least this is the only writing that you're aware of that deals with weather?

16 **WIT:** Umm I wouldn't say – I couldn't say.

17 **Mr. Sterbcow:** You don't know?

18 **WIT:** I don't.

19 **Mr. Sterbcow:** Okay. Alright, fair enough. If there's another document out there that
20 talks about weather procedure you're not aware of it?

21 **WIT:** There may be some in the SOPs, but I'm not sure.

22 **Mr. Sterbcow:** Now if in terms of radio monitoring while underway if the POWER, if
23 Captain Ledet was on channel 10 at the dock would that be appropriate?

1 **WIT:** Yes.

2 **Mr. Sterbcow:** If he was on channel 13 while underway but still in Bayou LaFouche
3 and not past the jetties would that be appropriate?

4 **WIT:** Absolutely.

5 **Mr. Sterbcow:** Once he got past the jetties if he turned to channel 16 would that be
6 appropriate?

7 **WIT:** Yes.

8 **Mr. Sterbcow:** So the fact that occurred and that's what occurred on April 13th during
9 this voyage that would be all standard operating procedure?

10 **WIT:** Yes it would.

11 **Mr. Sterbcow:** When did you leave SEACOR employee?

12 **WIT:** I think it was in May.

13 **Mr. Sterbcow:** A couple months ago?

14 **WIT:** Yes.

15 **Mr. Sterbcow:** Why?

16 **WIT:** To go back to a vessel that I ran before.

17 **Mr. Sterbcow:** So the vessel had been sold?

18 **WIT:** Yes.

19 **Mr. Sterbcow:** And you wanted to follow, basically you wanted to follow the vessel?

20 **WIT:** Well I didn't have this vessel.

21 **Mr. Sterbcow:** You didn't have this vessel.

22 **WIT:** So yeah, I wanted a vessel.

23 **Mr. Sterbcow:** Got you, okay. And who's your employer now?

1 **WIT:** Alliance.

2 **Mr. Sterbcow:** Based on your knowledge of what happened that day, from what you've
3 heard from others or heard here, are you aware of any failure on the part of either
4 Captain Ledet or First Mate Mires to properly monitor weather information while
5 underway on the SEACOR POWER?

6 **WIT:** Not at all.

7 **Mr. Sterbcow:** Thank you Captain. I don't have anything further.

8 **CAPT Phillips:** Thank you Mr. Sterbcow. While you were discussing some questions
9 there you had an acronym you said VCG can you confirm?

10 **WIT:** Vessel center of gravity.

11 **CAPT Phillips:** Thank you.

12 **WIT:** Or vertical center of gravity, excuse me.

13 **CAPT Phillips:** Thank you. Mr. Kucharski.

14 **Mr. Kucharski:** Thank you. Captain Timmons just a few quick questions. Risk
15 assessment, are you familiar with the risk assessment?

16 **WIT:** Yes.

17 **Mr. Kucharski:** Okay. In the fleet operations manual is that where it is the FOM?

18 **WIT:** Yes.

19 **Mr. Kucharski:** And was that – did you ever complete one for heavy weather?

20 **WIT:** A risk assessment specifically for heavy weather. No that would be one of your
21 risk for underway. So that would actually be one of the risks for it.

22 **Mr. Kucharski:** And did the company participate in those at all, review those with you?

1 **WIT:** I think they made sure, you're supposed to have one, you're supposed to update
2 them every so often and if they fell out of date they would advise you.

3 **Mr. Kucharski:** Lieutenant Alger Exhibit 59 again please, page 38 [showing Exhibit].
4 And section 4.2.2.2.

5 **Recorder:** What page?

6 **Mr. Kucharski:** 38, 38. It says draft marks, do you see that Captain?

7 **WIT:** Yes.

8 **Mr. Kucharski:** Did the SEACOR POWER have any mid ship draft marks?

9 **WIT:** I'm sorry?

10 **Mr. Kucharski:** Mid ship draft marks.

11 **WIT:** No.

12 **Mr. Kucharski:** Just forward and aft?

13 **WIT:** Yes.

14 **Mr. Kucharski:** Okay. You see the third line down there it says, 4th, 5th, it says mid
15 ship draft, do you see that?

16 **WIT:** Yes.

17 **Mr. Kucharski:** So when you mentioned that you compared visual drafts to computed
18 drafts, did you use this here?

19 **WIT:** That table?

20 **Mr. Kucharski:** Yeah.

21 **WIT:** No.

22 **Mr. Kucharski:** Thank you. Thank you.

1 **CAPT Phillips:** Thank you Mr. Kucharski. I've just got a couple more questions. Then
2 I think we're almost done. What was the largest deck load you ever had?

3 **WIT:** As far as weight?

4 **CAPT Phillips:** As far as weight on the SEACOR POWER?

5 **WIT:** Probably somewhere between 3 and 400 thousand.

6 **CAPT Phillips:** And was there any restriction on the VCG, the vertical center of gravity
7 regarding the deck cargo?

8 **WIT:** Yes. It had to remain under an average of 26 feet for total height. That's total
9 height, excuse me of the cargo, average.

10 **CAPT Phillips:** So the total height should remain under 26 feet?

11 **WIT:** I'm sorry.

12 **CAPT Phillips:** You said the total height should remain under 26 feet?

13 **WIT:** Yes, of all equipment, right.

14 **CAPT Phillips:** And the VCG?

15 **WIT:** VCG is -----

16 **CAPT Phillips:** Was there a restriction on that for the cargo?

17 **WIT:** Well you have a table that once you punch it into it will show you on that program
18 if you're within the operational guidelines.

19 **CAPT Phillips:** Thank you. What is the highest wind you ever experienced on the
20 SEACOR POWER?

21 **WIT:** Jacked up or underway?

22 **CAPT Phillips:** Let's do both.

1 **WIT:** Okay. I want to say underway was probably my previous voyage at 48. And
2 jacked up we experienced, well we rode that hurricane out in Fourchon. We received
3 like 110 mile an hour wind at the dock.

4 **CAPT Phillips:** One of the pictures we recently saw it showed the starboard side of the
5 vessel and you could see the hull was riding a little bit higher so you could see the
6 pockets for the pads that were out of the water. If you were underway and the pad
7 pockets were out of the water did she handle any differently?

8 **WIT:** If it was listing to cause that, in other words you would have to be listing to – for
9 that to be happening generally. So you're not going to be underway with it – with the
10 pad pockets exposed.

11 **CAPT Phillips:** Oh so there wasn't a time when you were coming back in after a trip,
12 you didn't have much fuel or water and the vessel was just up higher and so the pockets
13 were out?

14 **WIT:** I never experienced that no.

15 **CAPT Phillips:** I see, okay, thanks.

16 **WIT:** Your pads would in – your pad would be up when you're underway. So they're
17 going to be filling those pockets if I'm understanding your question correctly.

18 **CAPT Phillips:** Lieutenant Alger could you bring up Exhibit 202 page 284 [showing
19 Exhibit]. So I was thinking about this picture and I know the pads are under water, but
20 the indent there in the hull is out of the water.

21 **WIT:** Yes, ma'am. It's partially jacked up in that picture.

22 **CAPT Phillips:** It's partially jacked up.

23 **WIT:** You're not going to see that underway.

1 **CAPT Phillips:** Thank you.

2 **WIT:** Yes, ma'am.

3 **CAPT Phillips:** That helps, thank you. Okay. Mr. Verdin do you have a follow up
4 question?

5 **Mr. Verdin:** Yes, ma'am, Captain. Thank you. Captain Timmons you spoke about pre-
6 voyage planning, the pre-voyage planning was that something that you conducted alone
7 or did somebody else have input in that as well?

8 **WIT:** Generally myself or the Mate would do the voyage plan.

9 **Mr. Verdin:** That's all. Thank you Captain.

10 **CAPT Phillips:** Thank you Mr. Verdin. Captain do you have any ideas or
11 recommendations on how you might prevent something like this from happening in the
12 future on any type of lift boat?

13 **WIT:** I would say better weather forecast would be a key.

14 **CAPT Phillips:** Anything else?

15 **WIT:** No, ma'am.

16 **CAPT Phillips:** Is there anything else you would like to tell us that we haven't asked
17 you about?

18 **WIT:** No, ma'am, not at this time.

19 **CAPT Phillips:** Okay. Again thank you very much for coming in today Captain. It's
20 really helpful to have this information.

21 **WIT:** Thank you.

22 **CAPT Phillips:** You're now released as witnesses at this Marine Board Investigation
23 Hearing. Thank you for your cooperation. If I later determine that we need additional

1 information from you I will contact you through your counsel. If you have any questions
2 about this investigation you may contact Board Recorder Lieutenant Anthony Alger. We
3 will have a recess for lunch. We will reconvene at 1320. The time is now 1236. This
4 hearing is now in recess. Thank you.

5 *The hearing recessed at 1236, 10 August 2021*

6 *The hearing was called to order at 1322, 10 August 2021.*

7 **CAPT Phillips:** The time is 1322. This hearing is now in session. Good afternoon.

8 We will now hear testimony from Mr. James Endres. Lieutenant Alger will you please
9 administer the oath.

10 **Recorder:** Good afternoon, sir. If you would raise your right hand for me. A false
11 statement given to an agency of the United States is punishable by a fine and or
12 imprisonment under 18 U.S. Code 1001. Knowing this do you solemnly swear that the
13 testimony you're about to give will be the truth, the whole truth and nothing but the truth,
14 so help you God?

15 **WIT:** Yes.

16 **Recorder:** Please be seated. For the record please state your full name and spell your
17 last?

18 **WIT:** James Joseph Endres, E-N-D-R-E-S.

19 **Recorder:** And for the record if you could identify your counsel?

20 **Counsel:** Frederick Swaim on behalf of James Endres.

21 **Recorder:** Thank you.

1 **CAPT Phillips:** Good afternoon, thank you for coming in today Mr. Endres. I would like
2 to start out with some background questions. So can you tell us where you currently
3 work?

4 **WIT:** Alliance offshore.

5 **CAPT Phillips:** And where did you work before Alliance?

6 **WIT:** SEACOR Marine.

7 **CAPT Phillips:** How long did you work for SEACOR?

8 **WIT:** Since 2008.

9 **CAPT Phillips:** And when you worked for SEACOR what was your position?

10 **WIT:** Chief Engineer.

11 **CAPT Phillips:** The entire time you worked for SEACOR?

12 **WIT:** Yes, ma'am.

13 **CAPT Phillips:** Can you tell us a little bit about your responsibilities as the Chief
14 Engineer?

15 **WIT:** To oversee the maintenance and the repairs on the vessel.

16 **CAPT Phillips:** How long have you worked on lift boats?

17 **WIT:** Since '99.

18 **CAPT Phillips:** What other companies did you work for before SEACOR?

19 **WIT:** Hercules offshore and Superior which was bought out by SEACOR.

20 **CAPT Phillips:** Do you have any licenses or certificates?

21 **WIT:** I do.

22 **CAPT Phillips:** What do you have?

23 **WIT:** A Chief Engineer limited. I also hold a 500 ton Master.

1 **CAPT Phillips:** Have you sailed on your Master's license?

2 **WIT:** No, ma'am.

3 **CAPT Phillips:** And how much time have you spent on the SEACOR POWER?

4 **WIT:** Since 2018.

5 **CAPT Phillips:** During your career have you received any lift boat specific training?

6 **WIT:** No, ma'am.

7 **CAPT Phillips:** Did you get any training specific to the SEACOR POWER?

8 **WIT:** Just on board.

9 **CAPT Phillips:** What kind of training did you get on board?

10 **WIT:** Hands on training.

11 **CAPT Phillips:** And you said you worked on lift boats since '99. Do you have sea time
12 before that?

13 **WIT:** No, ma'am. That's when I started offshore.

14 **CAPT Phillips:** Can you tell us what other kind of ship related training you had?

15 **WIT:** Oh it was just all on lift boats.

16 **CAPT Phillips:** Have you taken shipboard courses like survival training or?

17 **WIT:** Yes, ma'am.

18 **CAPT Phillips:** Things like that?

19 **WIT:** Yes, ma'am.

20 **CAPT Phillips:** Can you tell us what you've taken?

21 **WIT:** I've taken all the STCW basic classes, advanced firefighting, ERM which is
22 engine room management. MEEC class, engineering MEEC class is mechanical
23 electrical electrician component class. I think that's what it stands for. That's about it.

1 **CAPT Phillips:** When was the last time you had your survival training?

2 **WIT:** It's been about 4 years ago. It's coming up for renewal within the next 8 months.

3 **CAPT Phillips:** And when was the last time you were on the SEACOR POWER

4 **WIT:** In April of 2021.

5 **CAPT Phillips:** Were you on board on April 13th?

6 **WIT:** Yes, ma'am.

7 **CAPT Phillips:** Were you coming off your hitch that day?

8 **WIT:** I was.

9 **CAPT Phillips:** What was your normal schedule? How many days would you spend
10 on the SEACOR POWER and how many days would you spend off?

11 **WIT:** My normal schedule was 14 and 14.

12 **CAPT Phillips:** And was that your last rotation?

13 **WIT:** No, ma'am it was a 7, we did a 7 day rotation that time. We were switching for
14 the holidays.

15 **CAPT Phillips:** So you were on for 7 days and then you were coming off?

16 **WIT:** Yes, ma'am. We actually got off a week and a day early.

17 **CAPT Phillips:** So what time did the other crew arrive on the boat?

18 **WIT:** I'm going to say 7 O'clock. Around 7.

19 **CAPT Phillips:** And what did you do after they arrived?

20 **WIT:** I got with the other engineer, my relief and went over some relief notes.

21 **CAPT Phillips:** Who was your relief?

22 **WIT:** Darren Enclade.

23 **CAPT Phillips:** Can you walk us through what you went over?

1 **WIT:** Went over anything that we had outstanding as far as maintenance, any kind of
2 repairs that was lingering, condition of the vessel, talked about the load out. I think that
3 was it. That's all I can remember. Just normal stuff that we usually talk about.

4 **CAPT Phillips:** What kind of maintenance things did you talk about?

5 **WIT:** If we had any – if I had any outstanding maintenance still left to be done.

6 **CAPT Phillips:** Were there any outstanding items that day?

7 **WIT:** I don't think so. I can't remember. I can't recall.

8 **CAPT Phillips:** Was there anything unusual about the condition of the boat or the
9 engines?

10 **WIT:** No, ma'am.

11 **CAPT Phillips:** Did you talk about the weather at all during your relief?

12 **WIT:** We did.

13 **CAPT Phillips:** Are you familiar with the operating limits of the SEACOR POWER?

14 **WIT:** I am.

15 **CAPT Phillips:** Can you tell us what they are?

16 **WIT:** Sea conditions of 5 feet, winds 70 knots.

17 **CAPT Phillips:** What were the highest seas you ever experienced on the SEACOR
18 POWER?

19 **WIT:** Between 4 and 5 foot.

20 **CAPT Phillips:** What were the highest winds you ever saw when you were on it?

21 **WIT:** Underway? 30 knot.

22 **CAPT Phillips:** How about jacked up?

23 **WIT:** 55, 60.

1 **CAPT Phillips:** You said during the relief you discussed the load out. Do you
2 remember details about what you discussed regarding the load out?

3 **WIT:** I just told him what as far as equipment that I thought we were going to have and
4 when you were supposed to depart. I think I told him maybe how long the job is
5 supposed to last.

6 **CAPT Phillips:** Okay. In your role as the Chief Engineer did you ever help load the
7 deck cargo?

8 **WIT:** I took the stability.

9 **CAPT Phillips:** But you didn't help with cranes or where to position it?

10 **WIT:** No, ma'am. I mean I would tell them where to put it. But as far as actually putting
11 hands on it.

12 **CAPT Phillips:** You would tell the crane operator where it should go?

13 **WIT:** Yes, ma'am.

14 **CAPT Phillips:** Were you usually out there when the loads were happening?

15 **WIT:** No, ma'am.

16 **CAPT Phillips:** You would just tell the crane operator ahead of time?

17 **WIT:** Yes, ma'am. If they were to ask.

18 **CAPT Phillips:** Would they always ask?

19 **WIT:** Sometimes. But we had a lot of experienced crane operators so they pretty much
20 knew where to put certain pieces of equipment.

21 **CAPT Phillips:** I see. You said you took stability, tell me more about that.

1 **WIT:** Sometimes I would actually write it on a piece of paper, everything that was
2 placed on the deck. But I always put it into the calculation program. And once that was
3 finished I gave it to the Captain for his verification.

4 **CAPT Phillips:** What kind of information did you need to put into that spreadsheet?

5 **WIT:** Well you would put what it was, we would put the weight. You put the dimensions
6 and whether it was forward and whether it was port or starboard.

7 **CAPT Phillips:** What else did you put in?

8 **WIT:** That was it as far as for the piece of equipment. Like stability I would take the
9 draft and put the draft.

10 **CAPT Phillips:** So you entered the draft in the program?

11 **WIT:** You would have to enter the draft into KMT and KML.

12 **CAPT Phillips:** For those who are not familiar can you tell us those acronyms?

13 **WIT:** KMT is center of keel from transverse metacenter and KML is center of keel from
14 longitudinal metacenter.

15 **CAPT Phillips:** How would you get those number to enter them?

16 **WIT:** We got KML and the KMT from a chart that was already produced in the
17 operations manual. And got that by your mean draft, what your mean draft was after
18 you took the mean draft it would tell you what those two numbers were.

19 **CAPT Phillips:** Would you also enter information about consumables?

20 **WIT:** Yes, ma'am. You would put your consumables on. And you added any ballast,
21 which we never took ballast on, and the number of people on board.

22 **CAPT Phillips:** Would that include water and fuel loads?

23 **WIT:** Water, fuel, lube and slot tank, yes, ma'am.

1 **CAPT Phillips:** Did you take those readings for those tanks?

2 **WIT:** I did.

3 **CAPT Phillips:** And then what would come out of the program?

4 **WIT:** It would tell you what your trim was. It would tell you what your list was. It would
5 also tell you your curve on the hydrostatic curve chart. It would tell you if you were
6 under the curve. That was it.

7 **CAPT Phillips:** Did you ever use the stability spreadsheet and have a situation where
8 it told you were not on the curve?

9 **WIT:** No, ma'am.

10 **CAPT Phillips:** Did it ever give you an output for trim or list?

11 **WIT:** No, ma'am.

12 **CAPT Phillips:** That was unusual?

13 **WIT:** No, ma'am.

14 **CAPT Phillips:** Did you fill out the stability spreadsheet on the morning of the 13th?

15 **WIT:** I did not.

16 **CAPT Phillips:** Did you take any of the readings for the consumables?

17 **WIT:** I did not. My last reading were taken the night before.

18 **CAPT Phillips:** Did you load any water or fuel, lube or that morning?

19 **WIT:** No, ma'am.

20 **CAPT Phillips:** In all your experience on lift boats was it normal to secure the cargo on
21 deck when you were getting underway?

22 **WIT:** Yes, ma'am it was for me.

23 **CAPT Phillips:** How about on the SEACOR POWER?

1 **WIT:** Yes, ma'am.

2 **CAPT Phillips:** And who would do that, secure the cargo?

3 **WIT:** The actual hands on securing?

4 **CAPT Phillips:** Umm huh.

5 **WIT:** It was all of us. The whole crew. It took the whole crew right before we left to do
6 it. The chains are heavy.

7 **CAPT Phillips:** Were there times when you wouldn't secure the cargo getting
8 underway?

9 **WIT:** Very rarely.

10 **CAPT Phillips:** What do with the engine room when you're getting ready to get
11 underway?

12 **WIT:** The first thing I did I sound the tanks. I complete my stability program. I do a last
13 look on the engines. Check the stuffing boxes to make sure everything is good and not
14 leaking too bad. And just waiting for word from the Captain telling me he's ready to go.

15 **CAPT Phillips:** Did you run any kind of tests on any of the equipment?

16 **WIT:** Not before we're getting ready to go.

17 **CAPT Phillips:** How about when you're ready to go.

18 **WIT:** Just the engines. You would start them and check the steering. Check the bow
19 thruster.

20 **CAPT Phillips:** Do you have a checklist to run through what you should be looking at
21 before you get underway?

22 **WIT:** I do.

23 **CAPT Phillips:** And is that written down on paper or is that put in the computer?

1 **WIT:** It's a form from the SMS. It's the pre-departure form.

2 **CAPT Phillips:** And so you fill it out on paper or do you fill it out on the computer?

3 **WIT:** I fill it out on paper. It's left in the wheelhouse because it's actually combined,
4 engine room and deck. So I fill out my part of it and the Captain and the Mate fill out
5 theirs.

6 **CAPT Phillips:** Who's responsible for securing the watertight doors to the engine room
7 when you're getting underway?

8 **WIT:** The responsibility is mine.

9 **CAPT Phillips:** And who would check that the watertight door was closed before
10 getting underway?

11 **WIT:** Me.

12 **CAPT Phillips:** When you got underway when you first left the dock where would you
13 normally be?

14 **WIT:** I would be in my office in the engine room.

15 **CAPT Phillips:** As in the control room?

16 **WIT:** In the control room, yes, ma'am.

17 **CAPT Phillips:** Was there a watch in the engine room while the vessel was underway?

18 **WIT:** Yes, ma'am. We have around the clock watch.

19 **CAPT Phillips:** Can you tell me a little bit more about that watch? And what they do.

20 **WIT:** Yes, ma'am. I had a [in audible] man that worked under me, he ran from 1800 to
21 0600. And I'm 0600 to 1800.

22 **CAPT Phillips:** And what kind of things would you be doing while the boat was
23 underway?

1 **WIT:** We did an engine room check every 30 minutes. I had to finish paperwork, ny
2 kind of paperwork that I had. I would still go on about my preventative maintenance,
3 anything that I couldn't do. That would be about it.

4 **CAPT Phillips:** Okay.

5 **WIT:** Go up to the wheelhouse every now and then, check on everything up there.

6 **CAPT Phillips:** So sometimes you would come out of the engine room?

7 **WIT:** Yes, ma'am.

8 **CAPT Phillips:** To eat or to use the restroom or?

9 **WIT:** Go to the restroom or just to get a bite to eat or anything like that.

10 **CAPT Phillips:** Is there a limit on how much time you can spend out of the engine
11 room?

12 **WIT:** I don't think there's anything written that there is. But I wouldn't spend more than
13 30 minutes.

14 **CAPT Phillips:** And if there was an engineering problem that came up in the middle of
15 the night would they wake you up?

16 **WIT:** Yes, ma'am.

17 **CAPT Phillips:** Did that happen often?

18 **WIT:** Not often. I wouldn't say often.

19 **CAPT Phillips:** Is there an internal passage from the engine up to the deck above?

20 **WIT:** There's not.

21 **CAPT Phillips:** Is there an emergency escape from the engine room to the deck
22 above?

1 **WIT:** There is no emergency escape. There's only one way in and one way out. Well
2 there's two ways out I guess. The MCC room is in the middle. So you can enter the
3 starboard or port side from there and then there's only one exit from each engine room
4 to go out on to the deck.

5 **CAPT Phillips:** Does one of those exits get used more than the other?

6 **WIT:** No, ma'am. About the same.

7 **CAPT Phillips:** If you came out of the engine room to go up and get some food would
8 you close that watertight door?

9 **WIT:** Yes, ma'am.

10 **CAPT Phillips:** Were all the other folks do that too?

11 **WIT:** There's usually nobody else in the engine room besides me.

12 **CAPT Phillips:** How about at night?

13 **WIT:** While we're traveling. Yeah there's nobody in there besides me. But yes they
14 usually do.

15 **CAPT Phillips:** Are there engineer standing orders on the SEACOR POWER?

16 **WIT:** There is.

17 **CAPT Phillips:** What kind of things are in there?

18 **WIT:** The watch check times. Reporting anything that you see no matter how small it
19 is. How to check gauges, what to check on the gauges. How to sound the fluid tanks.
20 What to look for. I'm sure there's a lot more I just can't think of them.

21 **CAPT Phillips:** Are those on the computer or were those written down on a piece of
22 paper?

1 **WIT:** They were all on the computer I also had them stationed in the MCC room. He
2 would sign off on them every hitch.

3 **CAPT Phillips:** Were those your specific standing orders or were they shared with you
4 and the other engineers?

5 **WIT:** We used the same one.

6 **CAPT Phillips:** Is there a computer in the MCC room?

7 **WIT:** Yes, ma'am.

8 **CAPT Phillips:** Is that computer a standalone or is it connected to the ship's WiFi?

9 **WIT:** It's connected. It's hard wired.

10 **CAPT Phillips:** So you can get internet on that computer?

11 **WIT:** Yes, ma'am.

12 **CAPT Phillips:** How often did you have drills on the SEACOR POWER?

13 **WIT:** Every hitch.

14 **CAPT Phillips:** And who was in charge of initiating those drills?

15 **WIT:** The Captain.

16 **CAPT Phillips:** Were there some drills that you did every time new people came on
17 board?

18 **WIT:** Yes, ma'am.

19 **CAPT Phillips:** What were those?

20 **WIT:** Fire and abandon ship.

21 **CAPT Phillips:** So if you got underway with a new crew typically when would those be
22 done? Would they be done before you got off the dock or when you transit out, or after
23 you've been gone for a day?

1 **WIT:** It would all depend on the situation at hand.

2 **CAPT Phillips:** Did you those drills underway sometimes?

3 **WIT:** Occasionally we did them underway. When you do a man overboard drill more
4 likely underway.

5 **CAPT Phillips:** How often did you have safety meetings?

6 **WIT:** Every morning.

7 **CAPT Phillips:** And who would participate in those?

8 **WIT:** The crew coming on tower for that day.

9 **CAPT Phillips:** What time were they held at?

10 **WIT:** Around 5:30.

11 **CAPT Phillips:** Where would you meet for those?

12 **WIT:** In the galley.

13 **CAPT Phillips:** So the – would that just be the engineers that would meet or would that
14 be the?

15 **WIT:** No, ma'am. That would be contractors and everybody that's coming to work on
16 that day, on that hitch. Crane operators, Captain, company men, everybody.

17 **CAPT Phillips:** You said at the beginning one of your jobs as a Chief Engineer was to
18 oversee maintenance. Did you ever see maintenance on the lifesaving equipment?

19 **WIT:** Lifesaving? No, ma'am.

20 **CAPT Phillips:** Who did that?

21 **WIT:** As far as the maintenance it would be the Mate. Most of the time it would be the
22 Mate.

1 **CAPT Phillips:** And who was responsible for checking the condition of the watertight
2 doors?

3 **WIT:** That fell to me.

4 **CAPT Phillips:** How often would you do that?

5 **WIT:** I did that every quarter. I had it on my maintenance every quarter.

6 **CAPT Phillips:** And what would you do to check that?

7 **WIT:** I would check the rubber, I would pull the rubber out to make sure there's no kind
8 – any kind of rust on the back side of it. If there was I would take care of that. Put the
9 door back in, shut it, made sure it closed.

10 **CAPT Phillips:** When you say made sure it closed, you just mean make sure it?

11 **WIT:** Make sure you can close it all the way with the dogs. And there was no kind of
12 draft or any kind light that you could see. Make sure it sealed good.

13 **CAPT Phillips:** Do you remember when the last time that was done on the SEACOR
14 POWER?

15 **WIT:** I don't.

16 **CAPT Phillips:** How much of the engineering maintenance was your responsibility and
17 how much was done by shore side personnel?

18 **WIT:** Percentage wise or? A lot of it fell to me.

19 **CAPT Phillips:** So that's preventative maintenance on the engines, pumps?

20 **WIT:** Yes, ma'am.

21 **CAPT Phillips:** Okay. What would go out to somebody else that you would not
22 necessarily do it?

1 **WIT:** PM on the engines, they would do that once a year when you come in from Coast
2 Guard. They would actually take the lids off of them and check the lash and all that.
3 Fire extinguisher recertification, fuel hoses, a basically a general inspection of the
4 vessel and any problems that we had outstanding or something we couldn't fix on our
5 own they would address that too.

6 **CAPT Phillips:** What was the last issue that you had that you couldn't fix on your own
7 that you needed help with?

8 **WIT:** I don't recall right now.

9 **CAPT Phillips:** Okay. Which of the spaces on the SEACOR POWER had bilge
10 alarms?

11 **WIT:** All the machinery spaces, the bow thruster, two steering compartments.

12 **CAPT Phillips:** Who was responsible to test those?

13 **WIT:** I was.

14 **CAPT Phillips:** How would you do that test?

15 **WIT:** They all had the can with the pull lever on it. They were all attached to a string so
16 you didn't get down into the bilge, you could just pull it up and wait for the alarms to
17 sound. And we'll silence it and do each one of individual.

18 **CAPT Phillips:** How often would you do that kind of test?

19 **WIT:** I did that monthly.

20 **CAPT Phillips:** Would you coordinate that with the bridge?

21 **WIT:** I did.

22 **CAPT Phillips:** So they would confirm that the alarm went off on the bridge for you?

1 **WIT:** Well not necessarily. Just so they would know that I was going to have alarms
2 going off. I usually waited until my [in audible] man got up in the afternoon because we
3 had an alarm panel in the engine room. So he would silence it there.

4 **CAPT Phillips:** Were all the alarms working on the morning of April 13th?

5 **WIT:** It was.

6 **CAPT Phillips:** What was the last time you heard a bilge alarm go off?

7 **WIT:** I don't recall a time other than testing them.

8 **CAPT Phillips:** Besides bilge alarms would you get other alarms that went off on a
9 regular basis on the engine room?

10 **WIT:** The only one that mainly went off most of the time was the low air for the air
11 compressor and that was because of the trash compactor. But no not on a regular
12 basis.

13 **CAPT Phillips:** Would that sound on the bridge too or just in the engine room?

14 **WIT:** Yes, ma'am, it would sound on the bridge too.

15 **CAPT Phillips:** How often would that go off?

16 **WIT:** In a day maybe twice.

17 **CAPT Phillips:** What was your overall assessment of the engine room on the
18 SEACOR POWER?

19 **WIT:** Good.

20 **CAPT Phillips:** Was anything not working properly?

21 **WIT:** No, ma'am.

22 **CAPT Phillips:** Any equipment that was out of service?

23 **WIT:** No, ma'am.

1 **CAPT Phillips:** How about the pumps, how were the pumps?

2 **WIT:** The pumps worked.

3 **CAPT Phillips:** Did you ever have any reoccurring problems with the fire pump or the
4 bilge pump?

5 **WIT:** No, ma'am.

6 **CAPT Phillips:** What was your assessment of the condition of the hull?

7 **WIT:** It was good besides the rust on it. I mean, fair.

8 **CAPT Phillips:** Were there particular areas that had a lot of buildup of rust?

9 **WIT:** Pretty much all around the sides where you kept it in the water when we didn't
10 have a job.

11 **CAPT Phillips:** When was the last time you looked into any of the tanks, voids,
12 ballasts, the preload tanks, any of those?

13 **WIT:** It was the day before I got off the boat.

14 **CAPT Phillips:** Can you tell me more about that?

15 **WIT:** I checked the K tank and the M tank which was the starboard mid ship tanks and
16 that was because when we came in we had some water that was coming from the
17 starboard side so I wanted to make sure it was nothing that could have possibly got
18 inside the preload tanks before I turned it over. That was the only two tanks that I
19 actually checked in that 7 days. I usually check them all every hitch.

20 **CAPT Phillips:** When you checked those two tanks anything in them?

21 **WIT:** No, ma'am.

22 **CAPT Phillips:** Were there any issues with any leaking, deck hatches anywhere?

23 **WIT:** No.

1 **CAPT Phillips:** What would you say about the watertight doors, what condition were
2 they in?

3 **WIT:** They were in good condition.

4 **CAPT Phillips:** Tank vents?

5 **WIT:** Good condition.

6 **CAPT Phillips:** Firefighting equipment?

7 **WIT:** Good condition.

8 **CAPT Phillips:** Any firefighting component that wasn't working?

9 **WIT:** Not to my knowledge.

10 **CAPT Phillips:** Lifesaving?

11 **WIT:** Not to my knowledge.

12 **CAPT Phillips:** When the SEACOR POWER was jacked up next to a platform would
13 the deck of the SEACOR POWER become designated as a hazardous area?

14 **WIT:** It would.

15 **CAPT Phillips:** What would that mean for the electrical equipment on deck?

16 **WIT:** I don't understand the question.

17 **CAPT Phillips:** If it's a hazardous area did it change what kind of electrical equipment
18 you had out on the deck?

19 **WIT:** There wasn't really a lot of electrical equipment on the deck. I classify it as a
20 hazardous area because of the cranes swinging overhead.

21 **CAPT Phillips:** Not because of the fumes that may – explosive gases that may come
22 off of the platform?

23 **WIT:** Oh no. The cranes.

1 **CAPT Phillips:** Can you tell me about the emergency lighting on the ship?

2 **WIT:** Yes, ma'am. We have the emergency generator. We have some, most light are
3 on an emergency circuit. We also have emergency ballasts in some of the main lighting
4 in the engine room and the living quarters to where if you didn't have any power at all it
5 would stay on for about 10 minutes.

6 **CAPT Phillips:** Who would test the emergency lighting?

7 **WIT:** I would.

8 **CAPT Phillips:** When was the last time you did that?

9 **WIT:** I can't recall a specific date.

10 **CAPT Phillips:** How often would you usually check that?

11 **WIT:** We did it once a month, me and my relief both did it once a hitch, and for sure
12 once a month.

13 **CAPT Phillips:** Can you tell us the procedures you would use to check that?

14 **WIT:** On there I would notify the Captain and the company man that I was going to test
15 run the emergency generator. I would walk upstairs, we would have to throw the
16 breaker, we would have to wait 30 minutes – or 30 seconds before it would come on, it
17 would come on, catch the load, take the load and I would run it for two hours checking
18 all the emergency lights while it's running to make sure they're still on and they're lit.
19 Check all the emergency critical equipment, make sure that it is supplying power and it's
20 working right.

21 **CAPT Phillips:** Thank you. Were there times you would test it by turning off the power
22 and leaving it off for a couple of minutes to go around and look at the lights?

1 **WIT:** Yes, ma'am. That's how you tested it. You trip the tie in breaker, it would come
2 on itself in 30 second it brings up, within 45 seconds it's on, and it's got the load.

3 **CAPT Phillips:** I'm just trying to make sure I got this all straight in my head. So if you
4 turned off the power, before the emergency generator was on, would the emergency
5 lights be on or off?

6 **WIT:** They would be, I wouldn't' turn off all the power. I would turn off basically half of
7 the boat, just the emergency circuit, we turn that off from the normal generator and the
8 emergency generator would come on line and take that part up and run that, run the
9 emergency circuit part of the vessel.

10 **CAPT Phillips:** Okay. But you never tested those batteries you said that will keep it on
11 for about 10 minutes?

12 **WIT:** No, ma'am. We would never hardly ever go black ship.

13 **CAPT Phillips:** Did the SEACOR POWER have any alarms inside of the legs or the
14 pads?

15 **WIT:** Not to my knowledge.

16 **CAPT Phillips:** How fast did the jacks operate on the legs?

17 **WIT:** The legs?

18 **CAPT Phillips:** Umm huh.

19 **WIT:** I would have to say 3 to 5 feet, I would be guessing on it. I can't recall right now.

20 **CAPT Phillips:** Were you responsible for the maintenance on the jacks?

21 **WIT:** Yes, ma'am.

22 **CAPT Phillips:** What was the condition?

23 **WIT:** Are you talking about the jacks, I don't understand what you mean by that?

1 **CAPT Phillips:** The jacking mechanism. To bring the legs up and down.

2 **WIT:** Oh yea.

3 **CAPT Phillips:** What was the condition of all that?

4 **WIT:** It was good.

5 **CAPT Phillips:** Did you have any problems with it

6 **WIT:** No, ma'am.

7 **CAPT Phillips:** Were you responsible for the maintenance on the cranes?

8 **WIT:** I was.

9 **CAPT Phillips:** What was the condition of the cranes?

10 **WIT:** It was good.

11 **CAPT Phillips:** Did you have any open maintenance items that hadn't been resolved
12 yet?

13 **WIT:** Not that I can remember.

14 **CAPT Phillips:** You have a lot of experience on lift boats. What are some common
15 problem areas that you have to keep an eye out for?

16 **WIT:** The jacking system is your main one. That is the vessel. Cranes. It's usually
17 your jacking system or your cranes are your two biggest problems. It just gives you the
18 most problems.

19 **CAPT Phillips:** Do you know if the SEACOR POWER had any major changes to the
20 vessel over the last five years?

21 **WIT:** Not in the last five years, no, ma'am. I know they added some leg to it, but I don't
22 know if that within 5 years. I think that was later.

1 **CAPT Phillips:** Okay. What other changes that you can think of replacing air
2 conditioners or changing out big pieces of equipment?

3 **WIT:** Yes, ma'am they had minor changes, ACs, radio equipment when they would go
4 out.

5 **CAPT Phillips:** Did they add a lot of washers and dryers, you know big heavy pieces of
6 equipment recently?

7 **WIT:** Yes, ma'am. Yes, ma'am. They would go out on a regularly basis when we were
8 working a lot you would have to change a washing machine.

9 **CAPT Phillips:** But you usually put one back where the old one was?

10 **WIT:** Yes, ma'am.

11 **CAPT Phillips:** Lieutenant Alger I would like to ask you to bring up Exhibit 202 please
12 [showing Exhibit]. And I think you can start on page 100. We have a couple of pictures
13 from the vessel. I just want to ask you if you could help me get familiar with some of the
14 things there. So the way I understand this picture is this is aft of the superstructure, it's
15 up a deck off the main deck?

16 **WIT:** Yes, ma'am.

17 **CAPT Phillips:** Can you tell me what that big black hose reel is in the picture?

18 **WIT:** That's your submersible pump.

19 **CAPT Phillips:** And what's a submersible pump provide water for?

20 **WIT:** Yes, ma'am, it's used to provide water for the preload.

21 **CAPT Phillips:** And the white structure there on the same deck as the picture is being
22 taken from, it's got support columns and then it looks like cylinders across the top and
23 pipes running into it?

1 **WIT:** That's your engine cooling fans.

2 **CAPT Phillips:** What are the black buckets stored under there?

3 **WIT:** The black buckets are your fluids, 40 weight, 30 weight, gear oils.

4 **CAPT Phillips:** Is that the main place that oil is stored?

5 **WIT:** Yes, ma'am. It kept it out of the weather under there.

6 **CAPT Phillips:** Were they tied down at all?

7 **WIT:** No, ma'am.

8 **CAPT Phillips:** Can we look at page 137 please? The way I understand this picture is
9 this is in the control room, is that right?

10 **WIT:** That's correct.

11 **CAPT Phillips:** It looks like there's some boxes and parts stored here. Is that storage
12 for parts?

13 **WIT:** That particular storage is for filters.

14 **CAPT Phillips:** Okay. And the next page please. It's hard to tell from the picture. Can
15 you walk through back to this rack?

16 **WIT:** Yes, ma'am.

17 **CAPT Phillips:** And is all that secured to the bulkhead or is that freestanding?

18 **WIT:** No it's secured to the bulkhead.

19 **CAPT Phillips:** Okay. Next page please. Are we looking at the same thing here just a
20 different angle?

21 **WIT:** No that's a different shelf. That's the opposite side. That would be the starboard
22 aft.

1 **CAPT Phillips:** It looks like there's a bunch of stuff underneath everything there. Is that
2 all secured or does that just slide under there?

3 **WIT:** Yes, ma'am. The blue bins underneath the hydraulic pipe it just slides under
4 there and stack on top of the other. They're two high.

5 **CAPT Phillips:** And how about those boxes up top on those black cylinders. Are those
6 secured or do they just sit up there?

7 **WIT:** They just sit up there.

8 **CAPT Phillips:** Okay. And the next page please. How about this shelf on the left side
9 of the picture, is there – is that shelf secured?

10 **WIT:** The shelf is secured and it actually has a rope tied on each shelf to keep the
11 filters from sliding off.

12 **CAPT Phillips:** Okay. And on the right hand side behind those black columns it looks
13 like there's an exit sign there.

14 **WIT:** Yes, ma'am. That's where I kept a lot of my spare parts.

15 **CAPT Phillips:** Oh so that's a spare exit sign?

16 **WIT:** Yes, ma'am.

17 **CAPT Phillips:** It's not indicating there's an exit back there or in that area?

18 **WIT:** No.

19 **CAPT Phillips:** Thank you. Did you have stop work authority on the SEACOR
20 POWER?

21 **WIT:** I did.

22 **CAPT Phillips:** Can you tell us a little bit about what that means?

1 **WIT:** No matter what's going on we have the right to stop the job, evaluate it, talk about
2 it.

3 **CAPT Phillips:** Did you ever exercise your stop work authority?

4 **WIT:** I'm sure I have. I just don't remember an instance when I did.

5 **CAPT Phillips:** Do you remember an example of a crew member who did use it
6 recently?

7 **WIT:** It might have been for a crane operation. When a crane operator didn't feel
8 something was right they may have stopped the job and talked about it. But I wasn't
9 involved in that.

10 **CAPT Phillips:** Okay. I'm going to see if other Coast Guard and NTSB folks have
11 some questions. I'm going to start out with Mr. Ehlers.

12 **Mr. Ehlers:** Good afternoon Chief how are you doing?

13 **WIT:** Hi how are you?

14 **Mr. Ehlers:** Thanks for your testimony. Just a couple follow ups from Captain Phillips'
15 questions. You had said that you directed where they put cargo on deck when they
16 were loading. Did you have a general philosophy on how you did that? In other words
17 heavier things go in a certain area, that kind of thing?

18 **WIT:** Yes, sir. We had, just experience with loading the same thing numerous times we
19 pretty much knew where to put it. Certain pieces of equipment.

20 **Mr. Ehlers:** So if it was a coil tubing you would put it in as specific area?

21 **WIT:** Yes, sir.

22 **Mr. Ehlers:** And was that done to maintain trim and list?

23 **WIT:** It was.

1 **Mr. Ehlers:** And you mentioned they would tell you forward, port, or starboard. Was it
2 specific measurements port or starboard?

3 **WIT:** It was.

4 **Mr. Ehlers:** The, you mentioned again examining your tanks. What kind of tank covers
5 do you have on there?

6 **WIT:** It's the 24 inch standard hatch cover.

7 **Mr. Ehlers:** Did it have a rubber gasket?

8 **WIT:** It did.

9 **Mr. Ehlers:** What were the conditions of the gaskets the tank that you looked at?

10 **WIT:** We had just recently changed them.

11 **Mr. Ehlers:** Where were the intakes for the engine room, we're talking air intakes or I
12 should say any other intake through the engine room?

13 **WIT:** All the intakes for the engine room were the forward O1 level front.

14 **Mr. Ehlers:** Could those intakes be closed if they needed to be?

15 **WIT:** They could.

16 **Mr. Ehlers:** And what would be a reason to close those vents? Those covers.

17 **WIT:** I'm sorry I didn't hear you.

18 **Mr. Ehlers:** What was the purpose of those vent covers? And if you were to close
19 those.

20 **WIT:** It's mainly for fire.

21 **Mr. Ehlers:** So normally you would operate with them open, correct?

22 **WIT:** Yes, sir.

23 **Mr. Ehlers:** Did you ever take water into those intakes at all?

1 **WIT:** No I have not.

2 **Mr. Ehlers:** No experience at all?

3 **WIT:** No.

4 **Mr. Ehlers:** Thank you.

5 **CAPT Phillips:** Thank you Mr. Ehlers. Mr. Kucharski.

6 **Mr. Kucharski:** Yes, thank you Captain. Mr. Endres thank you for coming. Have you
7 ever felt or seen while you were on a vessel list come from a gust of wind?

8 **WIT:** I'm sorry I didn't hear the last part.

9 **Mr. Kucharski:** A gust of wind, a gust. Have you feel a vessel list or heel from a gust
10 of wind?

11 **WIT:** A gust of wind? Not a gust a wind.

12 **Mr. Kucharski:** How about a steady wind? Do you feel the vessel the SEACOR
13 POWER list?

14 **WIT:** Not that I can recall.

15 **Mr. Kucharski:** Lieutenant Alger Exhibit 59 please [showing Exhibit]. And page 107.
16 First off Mr. Endres did you take visual drafts on the SEACOR POWER?

17 **WIT:** I did.

18 **Mr. Kucharski:** With the vessel jacked down?

19 **WIT:** I did.

20 **Mr. Kucharski:** And where did you take those drafts?

21 **WIT:** We had draft marks on each corner.

22 **Mr. Kucharski:** Were they all four corners?

23 **WIT:** Yes, sir.

1 **Mr. Kucharski:** Okay. And how did you calculate the trim of the vessel?

2 **WIT:** The stability program calculates the trim after you get your mean draft and you
3 find the KL – KML and KMT they'll tell you your mean draft.

4 **Mr. Kucharski:** And so when, let's look at this table for a second now. So the draft, it
5 says draft there on the left hand side all the way, the column on the left. Where did you
6 actually get that draft from?

7 **WIT:** That's a different chart than I'm used to. That's not the same chart.

8 **Mr. Kucharski:** It's not the same chart?

9 **WIT:** No, sir.

10 **Mr. Kucharski:** Do you know where that other chart came from?

11 **WIT:** I do not.

12 **Mr. Kucharski:** And -----

13 **WIT:** It was in the stability program when I started using it.

14 **Mr. Kucharski:** In the stability program? So this is spreadsheet that you used?

15 **WIT:** Yes, sir.

16 **Mr. Kucharski:** This makes it a little more interesting. So that column do you
17 remember, do you remember what draft it was on there?

18 **WIT:** I don't.

19 **Mr. Kucharski:** But you do remember you had obtained the LCB, the KML and the
20 KMT from that?

21 **WIT:** Yes, sir. It's just the sheet is set up different from the one that I actually used. It
22 had the draft reading on it, but it would have the forward and the aft draft. This one just
23 has the LCT draft, I can't really see it that good.

1 **Mr. Kucharski:** LCF.

2 **WIT:** LCF draft. The one I used had a bow and stern draft.

3 **Mr. Kucharski:** So did you put in the bow and the stern draft?

4 **WIT:** Yes. It all worked out the same way it just had the bow and the stern. It had
5 another column in it.

6 **Mr. Kucharski:** Do you know if that was labeled SEACOR POWER on the top of it?

7 **WIT:** It was.

8 **Mr. Kucharski:** Are you sure it was for the vessel after the legs were lengthened?

9 **WIT:** I'm not sure about that.

10 **Mr. Kucharski:** And do you, see where it has a column there says, it says weight up at
11 the top there? Can you see that?

12 **WIT:** Yes, sir.

13 **Mr. Kucharski:** And you see it says fresh water and salt water?

14 **WIT:** Yes, sir.

15 **Mr. Kucharski:** Did the other table have that?

16 **WIT:** No, sir.

17 **Mr. Kucharski:** It didn't?

18 **WIT:** Did not.

19 **Mr. Kucharski:** Okay so my questions will have to change a little bit now based on
20 what you just said. So did you ever take dock water salinity after you jacked down? Did
21 you have something to check the salinity of the -- to specific gravity?

22 **WIT:** I did not.

1 **Mr. Kucharski:** So the tables what you can recollect did you get a weight of the vessel
2 from the table? A displacement?

3 **WIT:** I can't recall.

4 **Mr. Kucharski:** When you compared, did you compare the computer results with visual
5 results, drafts?

6 **WIT:** I didn't personally do it. No, sir.

7 **Mr. Kucharski:** Were the fuel and ballast tanks approximately full when you left the
8 vessel?

9 **WIT:** There was no ballast on board.

10 **Mr. Kucharski:** Okay how about water, potable water?

11 **WIT:** Potable water was pretty much topped off.

12 **Mr. Kucharski:** And the same thing with the fuel?

13 **WIT:** I want to say so, yes, sir.

14 **Mr. Kucharski:** And when you say approximately do you remember a percentage?

15 **WIT:** I don't remember.

16 **Mr. Kucharski:** Do you know if there is any percentage of fullness or emptiness for
17 free surface?

18 **WIT:** If I had to guess it was probably maybe 90 percent full as far as potable water.

19 **Mr. Kucharski:** And the fuel tanks were they for no free surface?

20 **WIT:** It was about 75 percent full if I had to guess. I knew exactly how much I put in
21 there before, I just don't remember now, I don't recall.

22 **Mr. Kucharski:** So would you have to put a free surface collection in there if it wasn't
23 full?

1 **WIT:** It did it for you.

2 **Mr. Kucharski:** I'm sorry, it did it for you?

3 **WIT:** Yes, sir. You would put your sounding in there it would put everything in there for
4 you as far as consumables.

5 **Mr. Kucharski:** This is great. My next question is the soundings. Do you use remote
6 gauges to measure what is in the tanks? Or do you hand sound them?

7 **WIT:** Oh we have sight glasses on there in the engine room and you can visually
8 sound them.

9 **Mr. Kucharski:** Okay. Sight glasses. So is there a liquid in there it goes up and
10 down?

11 **WIT:** There is. It is the actual fuel or water liquid.

12 **Mr. Kucharski:** Have you, and what's it measured in?

13 **WIT:** In inches.

14 **Mr. Kucharski:** In inches. And do you have to convert that in an Olage [sic] table
15 somewhere?

16 **WIT:** No, sir. Our program is rated in inches too, so.

17 **Mr. Kucharski:** It is? It gives you, okay. And have you ever checked, by hand
18 sounding accuracy of any of those gauges?

19 **WIT:** I have.

20 **Mr. Kucharski:** And what did you find?

21 **WIT:** It was close, right on it.

22 **Mr. Kucharski:** Was there, these hand soundings that what you got, did that give it to
23 you also in inches?

1 **WIT:** That was actually feet. I used a tape, a sounding tape.

2 **Mr. Kucharski:** And was there a trim, any trim correction for the sounding using the
3 tape?

4 **WIT:** No.

5 **Mr. Kucharski:** So there was no trim table on board that lift boat?

6 **WIT:** No, sir.

7 **Mr. Kucharski:** And were there, when you took the soundings were they at some kind
8 of a stand pipe or deck plug?

9 **WIT:** Yes, sir.

10 **Mr. Kucharski:** Which one?

11 **WIT:** It was a deck plug.

12 **Mr. Kucharski:** I'm sorry?

13 **WIT:** A deck plug.

14 **Mr. Kucharski:** A deck plug.

15 **WIT:** Yes, sir.

16 **Mr. Kucharski:** So you measured the sounding from the lip of the deck plug to the
17 surface of the liquid?

18 **WIT:** Correct.

19 **Mr. Kucharski:** And how could you tell when it actually touched the liquid?

20 **WIT:** We always used some colored cut paste.

21 **Mr. Kucharski:** Okay and did the cut paste tell you if it water or if it was oil?

22 **WIT:** Yes, sir.

23 **Mr. Kucharski:** Did any tanks present difficulties when sounding them?

1 **WIT:** No, sir.

2 **Mr. Kucharski:** Were there any crossover valves between the port and starboard
3 tanks?

4 **WIT:** Which tanks?

5 **Mr. Kucharski:** Any common tanks. So if it was a fuel tank you have port and
6 starboard fuel tanks.

7 **WIT:** You had a crossover valve for the port and starboard fuel tank.

8 **Mr. Kucharski:** And was that kept closed all the time?

9 **WIT:** I ran with it closed, yes, sir.

10 **Mr. Kucharski:** Can you explain that? Did somebody else -----

11 **WIT:** I ran with it closed to keep the engine room isolated in case you had some type of
12 bad fuel in one of them, you still had another fuel tank that you could pull from.

13 **Mr. Kucharski:** And did your counterpart also do that?

14 **WIT:** To my knowledge he did, yes, sir.

15 **Mr. Kucharski:** And how about any of the ballast tanks, did they have any kind of
16 crossover?

17 **WIT:** No, sir.

18 **Mr. Kucharski:** Were the valves – did you have any problems with any of the tank
19 valves where water gravitated?

20 **WIT:** No, sir.

21 **Mr. Kucharski:** And were all the valves, tank valves secured when you finished
22 whatever operation you were doing?

23 **WIT:** They were.

1 **Mr. Kucharski:** This excel spreadsheet and the table, the hydrostatic table, the table of
2 hydrostatic properties, those were both on the vessel when you got there?

3 **WIT:** They were.

4 **Mr. Kucharski:** And you came on in 2018?

5 **WIT:** Yes, sir.

6 **Mr. Kucharski:** And do you know if the other, I hate to call it the other crew, you know
7 you came on board as a group and left as a group, did the other crew use the same
8 table of hydrostatic properties and the same spreadsheet?

9 **WIT:** To my knowledge, yes, sir.

10 **Mr. Kucharski:** Do you know why you calculated stability on the POWER on your shift,
11 and did your counterpart do it on the other shift?

12 **WIT:** No, he did not.

13 **Mr. Kucharski:** Do you know why you did it on the POWER?

14 **WIT:** I was just always good at it and that's what he delegated to me. I got stuck with it.

15 **Mr. Kucharski:** Is there anything that caused you concern with the stability of the
16 SEACOR POWER?

17 **WIT:** No, sir.

18 **Mr. Kucharski:** Lieutenant Alger Exhibit 83 please [showing Exhibit]. And this shows
19 an audit on the 29th of March 2021. And were you on board for that audit, do you
20 remember that?

21 **WIT:** I was not.

22 **Mr. Kucharski:** You were not, okay. Could we scroll down please to page 10? And it
23 says 10.6, stability of vessel. And it says calculated on DIXIE ENDEAVOR sheet.

1 **WIT:** I don't know what they referred to that. Referring I don't know what they mean by
2 that.

3 **Mr. Kucharski:** But you're sure the spreadsheet that you had at the top of it said
4 SEACOR POWER?

5 **WIT:** Yes, sir.

6 **Mr. Kucharski:** Were there high leg water alarms on the vessel while you were on
7 there?

8 **WIT:** Not to my knowledge, no, sir.

9 **Mr. Kucharski:** And you said you stood a watch, is that correct?

10 **WIT:** Yes, sir.

11 **Mr. Kucharski:** The day watch? The watch 6 a.m. to 12?

12 **WIT:** 6 a.m. to 1800.

13 **Mr. Kucharski:** 1800, sorry.

14 **WIT:** Yes, sir.

15 **Mr. Kucharski:** And was this the same watch that Chief Enclade would have?

16 **WIT:** It was.

17 **Mr. Kucharski:** Did you ever have to leave the engine room during that time that you
18 stood watch?

19 **WIT:** During anytime that I stood watch?

20 **Mr. Kucharski:** Yes.

21 **WIT:** There would be sometimes you would have to leave.

22 **Mr. Kucharski:** So is there always someone in the engine room when you left?

23 **WIT:** No.

1 **Mr. Kucharski:** When underway and with the engines running, both all engines running
2 so port and starboard engine rooms, all of your engines are running, how did you travel
3 through one engine room to the other?

4 **WIT:** Through the watertight doors in the MCC room. You can access both port and
5 starboard side.

6 **Mr. Kucharski:** So you would open one, close it.

7 **WIT:** Close it and then you would have to walk maybe 10 feet to the next one.

8 **Mr. Kucharski:** During the day was there someone else that was down in the engine
9 room with you?

10 **WIT:** Not on a regular basis. Unless somebody was coming to the tool room. We had
11 a tool room. Sometimes the AB's would come down there and work on whatever
12 they're working on.

13 **Mr. Kucharski:** Was there ever a sign in the engine room posted that said which was
14 the lee side?

15 **WIT:** No, sir.

16 **Mr. Kucharski:** And as far as watertight doors you were asked a number of questions.
17 Did you ever see a watertight door on the main deck left open?

18 **WIT:** Yes.

19 **Mr. Kucharski:** And which one would you see – did you see open?

20 **WIT:** Traveling or jacked up?

21 **Mr. Kucharski:** I'm sorry underway.

22 **WIT:** Underway?

23 **Mr. Kucharski:** Yes, sir.

1 **WIT:** We had problems with leaving the galley door open every now and then. We
2 would have to come behind them and close it and tell them not to.

3 **Mr. Kucharski:** It was mentioned that the E lights, the emergency lights had batteries
4 in them that illuminated the lights until the generator kicked in. Do you know how they
5 charged?

6 **WIT:** They had a little capacitor inside of it that would actually store charge when you
7 actually have power directed to it and that's the way it would get its little charge from to
8 last 10 minutes.

9 **Mr. Kucharski:** So when power was put to it. Was the power put to it through the
10 emergency switch board and using the emergency generator?

11 **WIT:** Not on a normal basis, no, sir. It was supplied normally by the regular generator.

12 **Mr. Kucharski:** Okay.

13 **WIT:** Acted as a regular normal light. But it was on the emergency circuit to where if
14 you lost a generator you could run it off the emergency circuit. And if you lost the
15 emergency circuit it had an emergency ballast in it that supplied maybe 5 to 10 minutes
16 of light, dim light, it wasn't 100 percent light, but you could see what you were doing.

17 **Mr. Kucharski:** So the light was normally, these are in the passageway, a lot of these
18 lights, yes?

19 **WIT:** It was mainly where you had people, lounge, engine room, I think you had two in
20 the galley on each side.

21 **Mr. Kucharski:** So those lights were powered by the main generator?

22 **WIT:** Correct.

1 **Mr. Kucharski:** Normally and then the capacitors charged off the main generator so
2 when you lost it the capacitor held enough charge?

3 **WIT:** That's correct.

4 **Mr. Kucharski:** To power those lights.

5 **WIT:** That's correct.

6 **Mr. Kucharski:** And I just want to make extra sure, you said you didn't compare the
7 calculated drafts to visual drafts, right?

8 **WIT:** I did.

9 **Mr. Kucharski:** You did? You did?

10 **WIT:** Prepare them?

11 **Mr. Kucharski:** No compare, compare them.

12 **WIT:** Oh no, no, sorry. I'm sorry.

13 **Mr. Kucharski:** Back to Exhibit 59 and this time page 38 [showing Exhibit]. Have you
14 ever looked at this before? Sorry. It says draft marks, draft mark locations. Have you
15 ever seen this before?

16 **WIT:** I have.

17 **Mr. Kucharski:** Would this be an accurate depiction of where the draft marks actually
18 are on that vessel?

19 **WIT:** It is.

20 **Mr. Kucharski:** It is. And how about the markings do those look right?

21 **WIT:** Yep. Yes, sir.

22 **Mr. Kucharski:** Have you ever used these, you see it says sample draft calculation?

23 **WIT:** I have not used them calculations, no, sir.

1 **Mr. Kucharski:** You haven't use this at all?

2 **WIT:** No, sir.

3 **Mr. Kucharski:** So, I guess again, so another question. It says there mid ship draft, do
4 you see that?

5 **WIT:** Yes, sir.

6 **Mr. Kucharski:** There were no mid ship drafts on the vessel were there?

7 **WIT:** No, sir. It was on the corners.

8 **Mr. Kucharski:** Thank you. Thank you very much Captain Phillips.

9 **CAPT Phillips:** Thank you Mr. Kucharski. Mr. Lawrence.

10 **Mr. Lawrence:** Thank you. Thank you for your testimony Chief. A bunch of questions
11 about tanks for you. So did you ever, did the SEACOR POWER ever carry water in the
12 preload tanks for ballast at all?

13 **WIT:** No, sir.

14 **Mr. Lawrence:** Would water remain in there after a preloading operations or anything
15 like that?

16 **WIT:** Very minimum.

17 **Mr. Lawrence:** How much would you say?

18 **WIT:** It would be below the keel. I mean as much as I could possibly pump out until
19 she went dry pumping.

20 **Mr. Lawrence:** If you had to estimate like a height in there?

21 **WIT:** Two inches.

22 **Mr. Lawrence:** Two inches.

23 **WIT:** Yes, sir.

1 **Mr. Lawrence:** Okay. How about any of the other void spaces do those ever have
2 water in them?

3 **WIT:** No, sir.

4 **Mr. Lawrence:** No. Where was the hydraulic oil tank located?

5 **WIT:** The hydraulic tank?

6 **Mr. Lawrence:** Yeah.

7 **WIT:** It was, you could access it through the MCC room in the aft.

8 **Mr. Lawrence:** Aft part of the MCC room.

9 **WIT:** Yes, sir. You could actually, I'm sorry let me back up. You could actually access
10 it from a tank on the deck. But you can see the sight glass through the MCC room.

11 **Mr. Lawrence:** So would you say it was on the back?

12 **WIT:** It was on the back middle.

13 **Mr. Lawrence:** Aft bulkhead of the MCC room. And Mr. Kucharski asked you about
14 tanks being cross connected. Were you talking about the fuel storage tanks?

15 **WIT:** The day tanks.

16 **Mr. Lawrence:** The day tanks.

17 **WIT:** Yes, sir.

18 **Mr. Lawrence:** They were isolated, not cross connected. How about the potable water
19 tanks?

20 **WIT:** It was just one. No there's two I'm sorry.

21 **Mr. Lawrence:** Were those normally connected?

22 **WIT:** No, sir. I ran one at a time.

1 **Mr. Lawrence:** Lieutenant Alger could you bring up Exhibit 86 please [showing Exhibit].

2 Just bringing up the HELM connect printout from April 13th. Can you scroll to page 2?

3 Can you see the tank volumes there listed at the bottom of the page?

4 **WIT:** Yes, sir.

5 **Mr. Lawrence:** And when would you take these soundings on a normal day around?

6 **WIT:** I did my soundings at 3 O'clock every day.

7 **Mr. Lawrence:** 3 O'clock in the afternoon?

8 **WIT:** Yes, sir.

9 **Mr. Lawrence:** Okay. And then when you put them into HELM connect you have to
10 send them ashore?

11 **WIT:** Yes, sir.

12 **Mr. Lawrence:** Would it automatically go ashore?

13 **WIT:** It would. You have to actually to click a button and it would go.

14 **Mr. Lawrence:** And if you could scroll back to the top of page one. So it gives here the
15 date and time of the tank inspection which would be April 13th at 3:10. That's pretty
16 typical when you would do it at 3 O'clock.

17 **WIT:** Yes, sir.

18 **Mr. Lawrence:** So this would have been on the 13th, so these were not the soundings
19 that you took these would be the next.

20 **WIT:** The 13th.

21 **Mr. Lawrence:** The 13th, right. Okay. Thanks you can take that down. So you
22 mentioned the watertight doors in the engine room. Do those have indicators to say
23 whether they're opened or closed?

1 **WIT:** The ones in the MCC room did.

2 **Mr. Lawrence:** Would you ever get a call from the bridge if you left it open or if you
3 were passing through them a lot?

4 **WIT:** Yes, sir. If they seen a light on the bridge, if they seen one open they would
5 actually come down and check on me.

6 **Mr. Lawrence:** Okay. Did you have any video monitoring in the engine room for the
7 closed circuit cameras around the boat?

8 **WIT:** Yes, sir. It had cameras in each engine room.

9 **Mr. Lawrence:** But did you have monitors so you could see the cameras as well?

10 **WIT:** No, sir. Just on the wheelhouse.

11 **Mr. Lawrence:** Okay. Thanks that's all I have. Thank you.

12 **CAPT Phillips:** Thank you Mr. Lawrence. Do you have an additional question Mr.
13 Kucharski?

14 **Mr. Kucharski:** I do. Mr. Endres I just have to be absolutely clear you said you were
15 not on board on the 29th of March 2021 for that audit that I showed you.

16 **WIT:** No, sir. I had just gotten off right before. I think I got off the morning of the audit.

17 **Mr. Kucharski:** Because we have an un-redacted copy here, we have that. I just want
18 to make sure that you were not on board.

19 **WIT:** Yeah I had just got off. I had taken some of the pictures they asked for and then
20 we had crew change.

21 **Mr. Kucharski:** And did you ever compare the trim calculation that the spreadsheet
22 popped out with trim of the vessel after, or visual trim using the draft marks?

23 **WIT:** Yes, sir.

1 **Mr. Kucharski:** You did.

2 **WIT:** I did.

3 **Mr. Kucharski:** And did you notice if the trim was over 6 inches?

4 **WIT:** No it was never over 6 inches.

5 **Mr. Kucharski:** It was never over 6 inches while you were on board?

6 **WIT:** No, sir.

7 **Mr. Kucharski:** Did you have an opportunity to look at the load out for the SEACOR
8 POWER accident voyage?

9 **WIT:** I did not.

10 **Mr. Kucharski:** Thank you. No further questions.

11 **CAPT Phillips:** Thank you Mr. Kucharski. At this point we're getting ready to see if the
12 parties in interest have some questions. We've been going about an hour and 15
13 minutes, would you prefer to keep going or take a break?

14 **WIT:** We can keep going.

15 **CAPT Phillips:** Okay. Then I will start with SEACOR Marine and Falcon Global. Any
16 questions?

17 **Ms. Apps:** Thank you Captain Phillips. Just a couple of minutes. Good afternoon Mr.
18 Endres.

19 **WIT:** Good afternoon.

20 **Ms. Apps:** I represent SEACOR Marine in these proceedings. I just have a couple of
21 questions.

22 **WIT:** Yes, ma'am.

1 **Ms. Apps:** You were asked a couple of questions about the stability analysis that you
2 would perform for the SEACOR POWER before you got underway and an Excel sheet
3 that you used to support that process. Do you recall that testimony?

4 **WIT:** Yes, ma'am.

5 **Ms. Apps:** And I think you said it most often fell to you to do the stability analysis when
6 you were on the ship, is that right?

7 **WIT:** Yes, ma'am.

8 **Ms. Apps:** After you done the stability analysis, which again you did before you get
9 underway, while you're underway did you ever notice any inconsistencies or problems
10 with the stability analysis that you had done previously?

11 **WIT:** No, ma'am.

12 **Ms. Apps:** So you never noticed anything that would suggest the calculations that
13 were done through that Excel sheet and the other work that you did were in some
14 manner inaccurate?

15 **WIT:** No, ma'am. I never came across something like that.

16 **Ms. Apps:** How many stability analysis would you say you did while on the SEACOR
17 POWER since 2018? Can you estimate that do you think?

18 **WIT:** Maybe 30.

19 **Ms. Apps:** You were asked a series of questions about the drafts and whether you
20 went down to look at the drafts. I think you said you didn't. Did you send anyone else
21 to look at the drafts?

22 **WIT:** When I said I went down, meaning coming from the wheelhouse down to the
23 deck. No I always took it myself.

1 **Ms. Apps:** Say that one more time.

2 **WIT:** I'm sorry. I mean going down and taking the drafts, I was actually coming down
3 from the wheelhouse to the deck to the main level and look over the side to take the
4 drafts. But I always did that myself.

5 **Ms. Apps:** You did that yourself?

6 **WIT:** Yes, ma'am.

7 **Ms. Apps:** One last question. Did you know, two last questions, I'm sorry. Did you
8 know Captain Ledet?

9 **WIT:** I did.

10 **Ms. Apps:** And how would you describe him as a Captain?

11 **WIT:** As far as long I've worked with him, I only worked with him for two months, but he
12 was a great guy. He treated me real good. He did nothing that I seen that I disagreed
13 with. Real safe. Nice guy.

14 **Ms. Apps:** Thank you for your time today.

15 **CAPT Phillips:** Thank you Ms. Apps. First Mate.

16 **Mr. Sterbcow:** Thank you Captain. My name is Paul Sterbcow I represent the First
17 Mate Bryan Mires from the other crew.

18 **WIT:** Yes, sir.

19 **Mr. Sterbcow:** Let me take you back for a second to Exhibit 86 [showing Exhibit].
20 Which is the engine room daily log. It's dated 4/13/21, 1510. What is the 1510
21 referencing?

22 **WIT:** Time

23 **Mr. Sterbcow:** Of, in other word?

1 **WIT:** The time of day.

2 **Mr. Sterbcow:** But is that the time the report is prepared, sent it?

3 **WIT:** It's the time the report is sent in.

4 **Mr. Sterbcow:** Okay. So this report that left the SEACOR POWER had gone to
5 SEACOR's office?

6 **WIT:** That's correct.

7 **Mr. Sterbcow:** And whoever is on this system would receive a copy of this at that
8 point?

9 **WIT:** Yes, sir.

10 **Mr. Sterbcow:** And if this is accurate it was sent in at 3:10 p.m. that day?

11 **WIT:** That's correct.

12 **Mr. Sterbcow:** And if, would Darren Enclade been the one to prepare this report
13 typically?

14 **WIT:** Yes, sir.

15 **Mr. Sterbcow:** And he would have been in the engine room?

16 **WIT:** Yes, sir.

17 **Mr. Sterbcow:** You mentioned before, and I want to make sure I'm correct. Actually
18 let's pull up Exhibit 202 number 135 [showing Exhibit]. What is this – what does this
19 show us?

20 **WIT:** That's the, I guess the corridor from the port to starboard engine in the MCC
21 room.

22 **Mr. Sterbcow:** You testified earlier and I think I misunderstood. Did you say that this
23 door is the only way in and out of the engine room?

1 **WIT:** No, sir.

2 **Mr. Sterbcow:** Okay. Could you clarify that for me?

3 **WIT:** Yes, sir. That would be the entrance way to the starboard engine room, the port
4 side would be directly in front of that. And there's only one entrance way out of the
5 engine room, out of each engine room.

6 **Mr. Sterbcow:** There's one entrance and way out of each engine room?

7 **WIT:** Correct.

8 **Mr. Sterbcow:** Okay, understood. Is there any way for us to know now where, well we
9 would think that Mr. Enclade was in the engine room when the vessel was underway,
10 correct? Most likely.

11 **WIT:** Yes, sir.

12 **Mr. Sterbcow:** Any way to know which engine room he was in?

13 **WIT:** More than likely, I would have been in the MCC room.

14 **Mr. Sterbcow:** And why is that?

15 **WIT:** That's where I did 90 percent of my time as far as paperwork and.

16 **Mr. Sterbcow:** Alright. Is the report that we just looked at sent from that room?

17 **WIT:** Yes, sir.

18 **Mr. Sterbcow:** The computer is in there?

19 **WIT:** Yes, sir.

20 **Mr. Sterbcow:** Okay. If he were in that room when the vessel capsized how could a
21 rescue, rescue personnel access him? How could they get to him to save him?

22 **WIT:** You would have to come through one of the doors.

23 **Mr. Sterbcow:** Either one of those two doors?

1 **WIT:** Yes, sir.

2 **Mr. Sterbcow:** And if both of those doors were submerged there was no other way?

3 **WIT:** No, sir.

4 **Mr. Sterbcow:** Okay. Lieutenant would you pull up number 256 [showing Exhibit]. As
5 the Chief did you have any knowledge or involvement in how these crane booms are
6 secured when you're underway?

7 **WIT:** I do not.

8 **Mr. Sterbcow:** Okay. Who would be the crew member aboard the vessel, if there is
9 one most knowledgeable about how the cranes are secured?

10 **WIT:** It would be the Captain.

11 **Mr. Sterbcow:** The Captain himself?

12 **WIT:** Yes, sir.

13 **Mr. Sterbcow:** One other area I want to ask you about. We've heard a lot of testimony
14 over the week and a half about securing cargo. Mr. Mires said that the cargo was, in his
15 experience was only secured when it was placed on the vessel, on the vessel's location
16 when they were jacking down to go some place else. Company man Lewis said he
17 never saw cargo secured. Captain Timmons said this morning he secured cargo on
18 voyages greater than 8 to 10 hours. You said the cargo was normally secured and it
19 was rare that it wasn't. Is there a policy or procedure that all of you are trained on how
20 and when to secure cargo?

21 **WIT:** Not to my knowledge, no, sir.

22 **Mr. Sterbcow:** If the cargo were secured how would that be done?

23 **WIT:** By chains and binders.

1 **Mr. Sterbcow:** And what would the chains and binders be secured to?

2 **WIT:** Peck and hales and D Rings welded to the deck.

3 **Mr. Sterbcow:** Okay. Welded to the deck. And was there any specific method in
4 terms of whether you chose chains versus binders for a particular piece of cargo?

5 **WIT:** No, sir.

6 **Mr. Sterbcow:** And therefore I guess there was no specific method that you chose to
7 lash it down, secure it to the deck?

8 **WIT:** No, sir.

9 **Mr. Sterbcow:** Alright. I think you said the whole crew would normally be involved in
10 that operation?

11 **WIT:** Yes, sir. Most of the time depending on how much equipment they had.

12 **Mr. Sterbcow:** So it wasn't job specific?

13 **WIT:** No, sir.

14 **Mr. Sterbcow:** Okay. Alright, thanks. That's all the questions I have. Thanks.

15 **CAPT Phillips:** Thank you Mr. Sterbcow. ABS.

16 **Mr. White:** Good afternoon Chief. I would like to follow up on the prior discussion
17 regarding trim.

18 **WIT:** Yes, sir.

19 **Mr. White:** As far as the trim for the SEACOR POWER was concerned were you aware
20 of any restriction on the trim while afloat or underway?

21 **WIT:** No, sir. Not to my knowledge.

1 **Mr. White:** And based on your experience of reviewing the calculations and looking at
2 the drafts, customarily when the vessel was afloat was there a trim that you were
3 accustom to seeing on the vessel?

4 **WIT:** Yes, sir.

5 **Mr. White:** And what would that be?

6 **WIT:** It would be from anywhere to 2 ¼ to 2 ½ degrees to astern.

7 **Mr. White:** Okay. And you said either between 2 and 2 ¼ degrees.

8 **WIT:** 2 ¼ to 2 1/2.

9 **Mr. White:** And I know you have a Captain's license as well as an Engineer license.

10 **WIT:** Yes, sir.

11 **Mr. White:** And based on your experience how would you measure trim? How was the
12 trim on the SEACOR POWER measured or determined?

13 **WIT:** It's an overall calculation of all the drafts taken.

14 **Mr. White:** Okay. And could you expound on that? If you look at the forward draft and
15 you looked at the aft draft, how would you determine the trim on the SEACOR POWER?

16 **WIT:** My calculation will tell you once you find your bow draft and your stern draft.

17 **Mr. White:** Okay. What is that calculation?

18 **WIT:** You take the bow and you add it together and then divide it by 2.

19 **Mr. White:** And that's what the trim, how the trim would be determined?

20 **WIT:** That's correct.

21 **Mr. White:** And if it was suggested that the SEACOR POWER when afloat and
22 underway and after being loaded would normally sail with a trim of 2 feet would you
23 agree or disagree with that statement?

1 **WIT:** Would normally sail with a trim of 2 feet?

2 **Mr. White:** Yes, sir.

3 **WIT:** I would agree.

4 **Mr. White:** You would agree?

5 **WIT:** Yes, sir.

6 **Mr. White:** And I'm going to back you up with some of the calculations that you did
7 about calculating stability. And I was confused in that as far as the documents that you
8 would have used to determine the vessel's stability or VCG what specifically in the
9 engine room, what books did you use to do that?

10 **WIT:** It was the program that they had on board when I got there. And I put together a
11 tank sounding book that just gave me all the soundings real quick and handy.

12 **Mr. White:** So as far as the book that you used you had a list of soundings the
13 corresponding weights associated with sounding for a particular tank?

14 **WIT:** Not the weights. The fluids.

15 **Mr. White:** Okay. And aside from that would there be any indication when you use that
16 program whether or not the trim or any other criteria was exceeded?

17 **WIT:** No, sir.

18 **Mr. White:** So there wouldn't be a red light or indication of a problem based on the
19 computer that you used to calculate stability?

20 **WIT:** I mean it would let you know if you had a problem. Is that what you're asking?

21 **Mr. White:** Yes.

22 **WIT:** Yes. It would let you know if you had a problem.

23 **Mr. White:** And to follow up on that. How would it let you know?

1 **WIT:** Well the program there would actually the little sail would actually turn red.

2 **Mr. White:** Okay.

3 **WIT:** Plus you would actually see that you're over your recommended trim.

4 **Mr. White:** Okay.

5 **WIT:** So I mean you would know.

6 **Mr. White:** And based on the experience have you ever seen that red sail illuminate?

7 **WIT:** No, sir.

8 **Mr. White:** So as far as the book that you used, you had a book of hydrostatic tables, is
9 that ----

10 **WIT:** It was built into the program.

11 **Mr. White:** It was built in the program.

12 **WIT:** Yes, sir.

13 **Mr. White:** So aside from the program what other physical paper would you need to
14 use the program?

15 **WIT:** Nothing else.

16 **Mr. White:** Okay. So once you had the tank soundings you would input the tank
17 soundings into the program?

18 **WIT:** I would.

19 **Mr. White:** And it would generate the weights associated with those soundings?

20 **WIT:** Yes, sir. The only, the consumables would actually do that. Anything else you
21 would actually have to put in yourself based off your tank readings from your book.

22 **Mr. White:** Okay. So to back it up to the beginning of iteration or for calculation, you
23 indicated that the crane operator or someone would give you the weights.

1 **WIT:** Yes, sir.

2 **Mr. White:** And from that piece of paper that the crane operator gave you, you inserted
3 that also in the program that you used?

4 **WIT:** That is correct.

5 **Mr. White:** There's some reference to an Excel spreadsheet, so I'm just trying to be
6 clear as far as you use the program in the engine room to calculate the VCG?

7 **WIT:** Yes, sir.

8 **Mr. White:** And when you make reference to the Excel spreadsheet what are you
9 specifically referring to? Is that your Excel spreadsheet or is that a manner in which it
10 was printed out from?

11 **WIT:** That was the Excel spreadsheet that was created for the vessel.

12 **Mr. White:** Say that once more.

13 **WIT:** It was the Excel spreadsheet that was created for the stability for that vessel.

14 **Mr. White:** And was that part of the program or was that a part of some separate
15 spreadsheet that someone else used?

16 **WIT:** It was a part of the program to my knowledge.

17 **Mr. White:** Okay. And so after you used the program, completed your calculations
18 could you hit print of the output would it generate that Excel spreadsheet that you're
19 referring to or is that something different?

20 **WIT:** It's all built in. It's all built in. There would be no generation of another
21 spreadsheet or anything. It's actually built in there. Into the program.

22 **Mr. White:** And if I refer to the term light ship, you know do you have an understanding
23 of what the term light ship means on a vessel?

1 **WIT:** Yes, sir.

2 **Mr. White:** Okay. Can you just tell me generally what the light ship signifies?

3 **WIT:** Light ship is basically no deck equipment, minimum crew with consumables filled
4 to their capacity.

5 **Mr. White:** Would it include water in the tanks or fuel?

6 **WIT:** Just potable water and fuel.

7 **Mr. White:** And so if I asked if there's a loading condition, or are you familiar with the
8 load line?

9 **WIT:** Yes, sir.

10 **Mr. White:** And do you recall what the load line draft was for this vessel?

11 **WIT:** I do not.

12 **Mr. White:** And if I asked you similarly if I asked you what the light ship draft or the light
13 ship value would be, do you recall that?

14 **WIT:** No, sir. I mean I knew it at one time.

15 **Mr. White:** Understood. And as far as the book that you had down in the engine room
16 that was a different book than the vessel operations manual on the bridge, or do you
17 know?

18 **WIT:** As far as book it was just a book of tank tables. Just tank readings is all that was.
19 It came out of the operations manual. I just printed out and laminated the pages and
20 put it in the book.

21 **Mr. White:** Okay. So you took some pages out of the vessel's operations manual and
22 put it in a book in the engine room?

23 **WIT:** Just tank soundings.

1 **Mr. White:** Understood.

2 **WIT:** Yes, sir.

3 **Mr. White:** So if I ask you to look at, I'm going to put up, ask the Lieutenant to put
4 Exhibit 59 up and Lieutenant if you could go to page 32 of that document? [Showing
5 Exhibit]. And Chief I don't know how well you can see that?

6 **WIT:** Yeah I didn't bring my glasses.

7 **Mr. White:** Would you have any reference point to understand whether the light ship
8 values or weights reflected on the exhibit are the same light ship values that would have
9 been incorporated into the stability program? And with Captain's permission I can pass
10 the computer with that document, if it's more easily seen.

11 **WIT:** I cannot.

12 **Mr. White:** Chief if it's alright I'll pass you – I'll pass you the computer. And I've got the
13 computer on page 32 at 4.1.2 Lightship. And if I may Chief if you review those values
14 does that refresh your recollection as to whether those values are the same values that
15 you had in the stability computer?

16 **WIT:** Yes, that is correct.

17 **Mr. White:** Okay. And is there a specific figure that stands out that you remember
18 being able to compare or be aware of?

19 **WIT:** There isn't.

20 **Mr. White:** And Chief just to be clear based on your experience aboard the SEACOR
21 POWER you never ballasted the vessel in order to minimize this trim by the stern?

22 **WIT:** I did not.

1 **Mr. White:** Chief thank you very much for your testimony. Captain Phillips we have
2 nothing further.

3 **CAPT Phillips:** Thank you Mr. White. Mr. Kucharski.

4 **Mr. Kucharski:** Sorry Chief. Just to be clear I don't know if I asked you this. The
5 spreadsheet calculations did you ever compare them, did you ever do a calculation from
6 the operations manual? The one I pulled, would you like to look at it again?

7 **WIT:** No, sir. I've never did a formal calculation and compare it to the spreadsheet.

8 **Mr. Kucharski:** And just to be clear about something. Trim on the vessel is that
9 measured in feet and inches or degrees?

10 **WIT:** I was measured in degrees on the vessel, on the program, I'm sorry.

11 **Mr. Kucharski:** On the program the trim was measured in degrees.

12 **WIT:** in degrees.

13 **Mr. Kucharski:** And to be clear trim is the difference between forward and aft?

14 **WIT:** That's correct.

15 **Mr. Kucharski:** And your time on the SEACOR POWER how much of that time did you
16 spend with Captain Timmons? You were mostly with him on his crew?

17 **WIT:** Oh yes, sir. As far as working with him?

18 **Mr. Kucharski:** Yes.

19 **WIT:** Yes, sir. I was with him the whole time.

20 **Mr. Kucharski:** And during your Chief time, the whole time on there did anyone from
21 shore side at SEACOR look at the stability calculations that you – look at these forms
22 these calculations?

23 **WIT:** Not to my knowledge.

1 **Mr. Kucharski:** No further questions. Thank you Captain.

2 **CAPT Phillips:** Thank you Mr. Kucharski. Thank you Chief. I heard a lot of different
3 discussions about draft marks. So I just want to make sure I understand what you
4 normally see. Was it hard to read the draft marks from on board?

5 **WIT:** It wasn't.

6 **CAPT Phillips:** Was it easier to see one side versus the other, starboard or port?

7 **WIT:** No, ma'am. Not to me it wasn't.

8 **CAPT Phillips:** Okay. When you would read the forward draft marks what would you
9 normally come up with? What number would you normally come up with?

10 **WIT:** It all depends. Depends on what kind of equipment you have and where you're
11 at, how much leg is down.

12 **CAPT Phillips:** When you're getting ready to get underway with a regular size load, not
13 really big or anything do you remember about what it would be at?

14 **WIT:** With the legs up?

15 **CAPT Phillips:** With the legs up.

16 **WIT:** Maybe 8, 8 ½ .

17 **CAPT Phillips:** And what would it be in the back?

18 **WIT:** 14, 14 1/2, 15. That may not be exact. But it's hard for me to recall.

19 **CAPT Phillips:** Sure. I was just looking for about. That's helpful. Knowing what you
20 know about the incident on April 13th do you have any ideas or recommendations on
21 how to prevent something like this from happening in the future?

22 **WIT:** I don't.

1 **CAPT Phillips:** Is there anything else that we didn't asked about today that you would
2 like to share with us?

3 **WIT:** No, ma'am.

4 **CAPT Phillips:** Okay. Again thank you very much for coming in.

5 **WIT:** Thank you.

6 **CAPT Phillips:** For your time and thank you for your assistance. Mr. Kucharski do you
7 have an additional question?

8 **Mr. Kucharski:** Yes. One final. Chief you were asked about VCG.

9 **WIT:** Yes, sir.

10 **Mr. Kucharski:** You said that's the vertical center of gravity?

11 **WIT:** That's correct.

12 **Mr. Kucharski:** Was there a curve, a vertical center of gravity curve that you could
13 see?

14 **WIT:** There was.

15 **Mr. Kucharski:** And when you computed the vertical center of gravity was it generally
16 close to that, the value close to the maximum?

17 **WIT:** Specify what you mean as close.

18 **Mr. Kucharski:** Within a foot?

19 **WIT:** A foot, no, sir.

20 **Mr. Kucharski:** What was the closest you ever saw then?

21 **WIT:** Let's go inches. I guess it would be a foot. Six inches, seven inches.

22 **Mr. Kucharski:** Seven inches difference between the maximum, I'm sorry.

1 **WIT:** If I had to recall. I'm not too sure on that. From the maximum to where it was at
2 maybe 7 or 8 inches.

3 **Mr. Kucharski:** Thank you. Thank you again.

4 **CAPT Phillips:** Thank you Mr. Kucharski. Mr. Endres you're now released as a
5 witness at this Marine Board Investigation Hearing. Thank you for your cooperation. If I
6 later determine that we need additional information from you I will contact you through
7 your counsel. If you have any questions about this investigation you may contact Board
8 Recorder Lieutenant Anthony Alger. We will take a recess to get set up for our next
9 witness. We will reconvene at 1520. The time is 1504. This hearing is now in recess.
10 Thank you.

11 *The hearing recessed at 1504, 10 August 2021*

12 *The hearing was called to order at 1520, 10 August 2021.*

13 **CAPT Phillips:** The time is 1520. This hearing is now in session. We will now hear
14 testimony from Mr. Paul Fremin. Lieutenant Alger can you please administer the oath?

15 **Recorder:** Sir, if you could stand and raise your right hand for me. A false statement
16 given to an agency of the United States is punishable by a fine and or imprisonment
17 under 18 U.S. Code 1001. Knowing this do you solemnly swear that the testimony
18 you're about to give will be the truth, the whole truth and nothing but the truth, so help
19 you God?

20 **WIT:** I do.

21 **Recorder:** Please be seated. For the record please state your full name and spell your
22 last.

23 **WIT:** Paul Fremin spelled, F-R-E-M-I-N.

1 **Recorder:** Thank you, sir. And if you could identify your counsel.

2 **Ms. Apps:** It's Antonia Apps for the witness.

3 **Recorder:** Thank you.

4 **CAPT Phillips:** Thank you Lieutenant Alger. Good afternoon Mr. Fremin and thank
5 you for joining us today. I would like to start out ----

6 **WIT:** Yes, ma'am. I just want to apologize for not being in person. I had full intentions
7 on coming but I came in to very close contact with a positive COVID patient so for
8 everyone's safety I had to do this virtually. Apologies for not being in person.

9 **CAPT Phillips:** No problem. We appreciate the conservative approach and we would
10 much rather have you virtually than not at all. So thank you. I'm going to start off and
11 ask you some back ground questions. Can you tell me where you currently work?

12 **WIT:** Yes I currently work for SEACOR Marine out of Morgan City, Louisiana.

13 **CAPT Phillips:** What's your position with SEACOR?

14 **WIT:** I am one of the Operations Managers.

15 **CAPT Phillips:** How long have you been doing that job?

16 **WIT:** I have been Operations Manager for lift boats since May of 2020.

17 **CAPT Phillips:** And how long have you worked for SEACOR?

18 **WIT:** SEACOR I worked for a company called MONTCO offshore since 2012. I was
19 acquired by SEACOR Marine so I've technically been working for SEACOR since 2012.

20 **CAPT Phillips:** And who did you work for before that company you said in 2012?

21 **WIT:** MONTCO offshore was the company.

22 **CAPT Phillips:** And before MONTCO?

23 **WIT:** Nowhere.

1 **CAPT Phillips:** Have you ever spent any time underway?

2 **WIT:** Yes I have. When I was in High School and College during summers I was a
3 deck or an OS on board lift boats.

4 **CAPT Phillips:** Do you hold any professional licenses or certificates?

5 **WIT:** Not currently valid. I used to hold a Merchant Mariners credential but I let it go.

6 **CAPT Phillips:** What type of credential was that?

7 **WIT:** A Merchant Mariners document.

8 **CAPT Phillips:** What position?

9 **WIT:** OS, ordinary seaman.

10 **CAPT Phillips:** Thank you. Who do you currently work for at SEACOR?

11 **WIT:** My current boss is Mr. Joseph Ruiz.

12 **CAPT Phillips:** And Lieutenant Alger if you could bring up Exhibit 215 [showing
13 Exhibit]. This is an organizational chart. I just want you to walk me through the way
14 things are set up. Can you zoom in a little on the middle? Can you walk me through
15 this?

16 **WIT:** Yes. So I would be considered one of the Operation Managers and the other
17 would be Mr. Clay Stribling [sic] and we're all in a consecutive parallel line that work for
18 the General Manager Mr. Joe Ruiz.

19 **CAPT Phillips:** Thank you. And what are some of your general responsibilities as an
20 Operation Manger?

21 **WIT:** Sure. So some of my responsibilities are following up with surveys, different
22 repair certificates. I assist the designated person ashore for safety and investigations. I
23 also do officer appraisals not limited to the Master or Chief Engineer. I review reported

1 defects, incidents, customer complaints, provide guidance when the Master is needed
2 for any navigational purposes, bunkering, communications, things like that. I'm also in
3 charge of approving requisitions and provisions.

4 **CAPT Phillips:** Thank you. You said there's multiple Operation Mangers. Can you tell
5 me how the work load is divided up?

6 **WIT:** Yes. So there's Mr. Clay Stribling [sic] who is in charge of the marine vessels like
7 FSV's or anchor handlers whereas I am the Operation Manger for lift boats.

8 **CAPT Phillips:** And how many vessels do you currently oversee?

9 **WIT:** I currently oversee 5 active vessels.

10 **CAPT Phillips:** Are you responsible for anything on inactive vessels?

11 **WIT:** Not primarily. We have a stack fleet that it goes and does weekly checks on
12 those vessels.

13 **CAPT Phillips:** That doesn't fall under your responsibility?

14 **WIT:** It does. But I don't primarily check that is the fleet that goes over, yes.

15 **CAPT Phillips:** I see. But you're responsible to make sure that happens?

16 **WIT:** Yes, ma'am.

17 **CAPT Phillips:** How many boats are laid up right now?

18 **WIT:** I'm sorry, I'm counting.

19 **CAPT Phillips:** An approximate number is okay too.

20 **WIT:** Approximately 7.

21 **CAPT Phillips:** And who works for you?

22 **WIT:** I do not technically have any shore side staff under me. The only people that
23 report to me would be the officers on board the vessels.

1 **CAPT Phillips:** So would it be accurate to say that the vessels report directly to you?

2 **WIT:** Yes, ma'am.

3 **CAPT Phillips:** You said officer appraisals. Can you tell me a little more about what
4 you do for an officer appraisal?

5 **WIT:** Yes. Every year I am in charge of appraising the Masters. That goes in regards
6 to grading him on seamanship, engineering skills, navigation skills, conduct and many
7 other aspects as well as writing comments in need of approval in any area and allowing
8 them to respond to said comments and having them sign it. So that is a retention of one
9 year we do that.

10 **CAPT Phillips:** And is that on a schedule? Is there a certain time of year you do that
11 or just sometime during the year?

12 **WIT:** No I get it from our HR department when it's time for me to complete another
13 appraisal. Normally it's once a year.

14 **CAPT Phillips:** Are there any challenges with appraising a Mater's seamanship if you
15 yourself have not been a Master?

16 **WIT:** I don't see it as an issue, no, ma'am.

17 **CAPT Phillips:** Okay. Are there situations where you would give out a bad appraisal
18 to a Captain?

19 **WIT:** I wouldn't go with bad but I have given negative aspects as appraisal. Again
20 there are multiple aspects that go into the appraisal. I believe there's close to 15
21 different attributes within the appraisal that we'll give. It's on a scale of 1 to 5. I may
22 give a negative answer and of course comment on why I would have given this. And it's
23 always discussed with the Master as of why I would have given it.

1 **CAPT Phillips:** Is anything in the appraisal tied to getting underway on a certain
2 schedule?

3 **WIT:** No, ma'am.

4 **CAPT Phillips:** Is anything in the appraisal tied to their customer service to the
5 charter?

6 **WIT:** I would have to pull up the form to confirm that one.

7 **CAPT Phillips:** Okay, thank you. Do the Captains at SEACOR get bonuses?

8 **WIT:** To my knowledge yes.

9 **CAPT Phillips:** Do you know what those bonuses are tied to?

10 **WIT:** No, ma'am.

11 **CAPT Phillips:** What kind of training did you get when you started as an Operations
12 Manager?

13 **WIT:** The training I received was from our General Manager Mr. Joey Ruiz. He guided
14 me to learning, to follow the SMS of the Ops Manager position in regards to assisting in
15 soil data because that is one of my duties as Ops Manager is to assist in putting a
16 vessel onto location, safely onto location. We're looking at bottom surveys, soil data in
17 regards to that nature.

18 **CAPT Phillips:** Can you walk us through one of your typical days? What does that
19 entail?

20 **WIT:** Yes, ma'am. So in the morning I will call the active vessels, call the Masters and
21 see how their afternoon went, see how their morning is going. Check on the crew,
22 check on the weather how that's going on the job is progressing. And that's usually how

1 my morning goes and throughout the day is just normal business of filling out
2 requisitions and approving recs, just normal everyday business.

3 **CAPT Phillips:** How long would you say each of your calls with vessels takes?

4 **WIT:** It could be anywhere from 5 to 10 minutes.

5 **CAPT Phillips:** Is that always done over cell phone?

6 **WIT:** Yes. When available it's always cell phones. Sometimes we'll do it by email.

7 **CAPT Phillips:** What percentage of the time would you say it's done via email?

8 **WIT:** Maybe 5 to 10 percent. Most of its done via phone.

9 **CAPT Phillips:** Can you walk us through what you can remember related to the
10 SECOR POWER on April 13th?

11 **WIT:** I sure can. April 13th was a crew change day. Meaning that the crew under
12 Captain Scott Timmons was the off signers and the crew under David Ledet were the on
13 the signers. I spoke to him that morning specifically. I called him at 8:46 that morning
14 for an 11 minute phone conversation just to see how the crew change went, how the
15 handover was because we were preparing to depart once the load out was completed in
16 Port Fourchon for TALOS. So we talked about the load out. You know just making sure
17 everything was going okay to his liking for the load out before they proceeded. And if
18 you want me to continue. So we did have an incident on board. A third party contractor
19 tripped so we went over that incident. We filed an incident report. So the gentleman
20 choose not to have and medical attention and stayed on board. Later that day at 9:30
21 David Ledet called me again but I was on the phone with someone else so I sent him to
22 call waiting and responded with a custom iPhone text of you know, call you right back.
23 And we spoke again at 10:33 that morning in regards to asking him, I asked him you

1 know how it was going, how the load out was going. And he stated that everything was
2 going fine and they should be getting underway in the next few hours.

3 **CAPT Phillips:** Anything else from that day?

4 **WIT:** Yes how far would you like me to continue?

5 **CAPT Phillips:** Through the whole day please.

6 **WIT:** Okay. Fair enough. So yes I received an email at 12:17 from Captain David
7 Ledet that he was jacking down from Bollinger and he had 22 hour transit to Main Pass
8 138 and all was good. Received our daily afternoon report at 15:07 via email pretty
9 much the afternoon report states you know fuel on board, POBs, the weather, current
10 activities, upcoming activities, so I received that. And then at 16:16 I received an email
11 from Nick Daigle who's our dispatch that he received a call from the United States
12 Coast Guard at 16:07 about the EPIRB on board the SEACOR POWER. They wanted
13 us to verify the beacon ID and the vessel's status. So my first initial phone call was to
14 Captain Ledet to which he didn't answer. Then I proceeded to call the contractor
15 communication phone numbers, two phone numbers, I called both of those numbers to
16 both being inactive. I recalled those numbers just to verify that they hadn't lost a signal
17 or anything and they still didn't pick up. So I proceeded to call the contractor
18 communication company called Elite Communications to verify I had in fact the correct
19 numbers and whenever they checked they said that both numbers were inactive in their
20 system. So I hung up with them and I tried calling the number one more time on board
21 to which I received no answer. And then I call Mr. Lawrence Warren cell phone
22 number. At this time I was trying to call any number that I did have to which he didn't
23 respond. As soon as I get a response – I received a phone call from Mr. Joey Ruiz

1 stating – asking first if I responded to the email and I said yes and I’ve been trying to call
2 the POWER since receiving the email. To which he proceeded to say he received a
3 phone call from All Coast that one of their vessel's the ROCK FISH had seen the
4 SEACOR POWER capsize. So I hung up with him. I called one of our Technical
5 Superintendents Mr. David Cole to ask if he had heard anything, he’s been in the
6 industry for a long time I figured he may have heard something to which he said he
7 hadn’t heard anything. Then I proceeded to call Fourchon Harbor Police. I figured that
8 the POWER could not have been far that if anything they would have heard a mayday
9 call, a distress call, anything if something were to happen to which they had not heard
10 anything. And then I proceeded to call the number, the United States Coast Guard
11 number on the email to which they responded and I immediately asked them I’m calling
12 about the SEACOR POWER, I received an email from you that an EPIRB had went off,
13 I’m hearing that the vessel capsized, have you heard anything to which they stated that
14 they had not heard anything. They took my name and number down. As soon as I hung
15 up with them Joey Ruiz called me back and asked if I still heard anything and I said
16 nothing from Harbor Police, nothing from Coast Guard to which right at that point was
17 when Michael Cenac sent out the Teams invite for our emergency response team and
18 we proceeded on that Teams call. And proceeded down to Port Fourchon, Bollinger
19 North Yard which is where we had our command center and began the search and
20 rescue operations.

21 **CAPT Phillips:** Thank you very much. I’m just going to walk back and ask you a
22 couple questions about what you told us. You said at the beginning of the day it was

1 crew change day. And then you said you spoke to him, you called at 8:46, was that
2 Captain Timmons or Captain Ledet?

3 **WIT:** That was Captain Ledet.

4 **CAPT Phillips:** And how did that phone call go?

5 **WIT:** That phone call went fine. It was always a pleasure to talk to Captain Ledet. Just
6 said they had a good crew change, they were still on loading cargo. There was a few
7 minor repairs were being completed on the grating on one of the cranes. But everything
8 else was running fine. We spoke about the weather of course as we often do during
9 transit day. I spoke about, you know just look at all the different aspects of the weather
10 make sure everything looks good. That phone call lasted 11 minutes and everything
11 was fine.

12 **CAPT Phillips:** Can you tell me more about the weather discussion you had with the
13 Captain?

14 **WIT:** Of course. So every morning our dispatch sends out a weather from a
15 subscription service that SEACOR uses called buoy weather. And it's in the vicinity of
16 around Port Fourchon and Cat Island Pass. The coordinates I believe are 28.91 North
17 and 90 degrees West. And that is sent out to the vessels and operations every morning
18 just as a guide point that you know around the areas where we normally work at. But in
19 regards to Captain Ledet and I, I, he and myself are able to pull up specific coordinates
20 within that subscription service. And I remember vividly pulling up the weather where
21 he was in Fourchon looking at it. Pulling up at mid-point between there and Main Pass
22 138, we looked at that because it was going to be a 20 or 22 hour transit and then

1 pulling up the weather at Main Pass 138. And all forecast pretty much read the same
2 as the morning report was, 3 to 4 foot seas, 15 to 20 knot winds.

3 **CAPT Phillips:** Did the Captain express any concerns about the weather with you?

4 **WIT:** No, ma'am.

5 **CAPT Phillips:** And then you said you had another conversation at 10:33.

6 **WIT:** Yes I did. I called just to see how the load out was going and make sure that all
7 the repairs were completed which they were. And just to check in before he departed.

8 **CAPT Phillips:** Is that pretty typical on a load – crew change day?

9 **WIT:** I'm sorry. What is typical?

10 **CAPT Phillips:** Is that a typical phone call you would make on a crew change or a
11 departure day?

12 **WIT:** Yes, ma'am. Just on, even though I talked to the Masters in the morning I will be
13 in constant communication with them throughout the day no matter what.

14 **CAPT Phillips:** On average how many calls do you make to each vessel each day?

15 **WIT:** That's a tough figure to put. Maybe 1 to 2, but again it can easily be 8 to 10.

16 **CAPT Phillips:** Thank you. The daily reports that come in via email are those a
17 standard format?

18 **WIT:** Yes, ma'am they are. They are a standard format in the body of an email and the
19 Master updates them in the morning at 0600 or 1500, all Central Standard Time.

20 **CAPT Phillips:** If there was an issue on board is that the place that the Master could
21 put it? Would he put that in an email and send it to you or would that be done via phone
22 call?

1 **WIT:** I think it could go both ways. There is a section within the reports saying critical
2 items and non-critical items that he can list. Or a separate email can be sent or a phone
3 call to myself or the Technical Superintendent who's in charge of that vessel.

4 **CAPT Phillips:** When you saw the email come in at 16:16 from the dispatcher did you
5 call the dispatcher at all and talk about it?

6 **WIT:** I did not.

7 **CAPT Phillips:** Okay. Does the dispatcher work for you?

8 **WIT:** No. My understanding the dispatcher works for Mr. Joey Ruiz.

9 **CAPT Phillips:** Are you familiar with any of the training the dispatcher receives?

10 **WIT:** No, ma'am.

11 **CAPT Phillips:** And you said that the dispatcher sends the weather reports each
12 morning at 7, is that right?

13 **WIT:** I don't believe it's a specific time. But yes it's normally around that time.

14 **CAPT Phillips:** It could be earlier or later?

15 **WIT:** Yes, ma'am.

16 **CAPT Phillips:** And you said it pulls a specific point, right?

17 **WIT:** Yes. They have a specific point for the Gulf of Mexico region where we normally
18 operate. They send out that weather from that.

19 **CAPT Phillips:** And does that go to all 5 of the vessels you manage?

20 **WIT:** Yes.

21 **CAPT Phillips:** And are all 5 of them working in the Gulf of Mexico?

1 **WIT:** All but one. I did have one vessel working in Europe. But he also sent out a
2 weather report for Europe where that vessel was working at. Same thing for a vessel in
3 Mexico. It will pull a point for that vessel in that vicinity as well.

4 **CAPT Phillips:** Does anyone else in the company provide weather besides the
5 dispatcher?

6 **WIT:** Provide weather via email?

7 **CAPT Phillips:** To the ships via any method.

8 **WIT:** Well via email can come from anyone if requested. It doesn't have to just be
9 dispatch. If a vessel request weather from me I can also send it.

10 **CAPT Phillips:** That's upon request?

11 **WIT:** Yes, ma'am.

12 **CAPT Phillips:** If there's changes to the weather forecast during the day are updates
13 sent out to the vessels?

14 **WIT:** Not to my knowledge. We don't have anyone monitoring the weather 24/7.

15 **CAPT Phillips:** How often do you check the weather during the day?

16 **WIT:** I can't honestly answer that question.

17 **CAPT Phillips:** As the Operations Manager do you decide when a vessel is coming
18 into port and when it leaves?

19 **WIT:** No, ma'am. That is pretty much based between the client and the Master on
20 board.

21 **CAPT Phillips:** Tell me more about that. How does that work?

22 **WIT:** In regards to when it's time to leave or depart? Yes, ma'am. So of course, one
23 particular example is that morning. The plan was to leave once all the cargo was

1 loaded, everybody was on board and they were ready to depart. There was no set time.
2 There was never a set time we have to leave by this time or this date. So as soon as
3 the Master felt everything was good on board, check with the company man on board
4 and they would proceed out. He would let us know hey we're leaving at this time and
5 that would be it. The same thing whenever it's time to come in. If the job is completed
6 we'll come in or of course in case there's in coming of weather that would force the
7 vessel, or it would be necessary to come then the vessel would come in.

8 **CAPT Phillips:** Is it up to the client if the vessel – say the job is supposed to take 15
9 days and the boat went out and then on day 16 the client well we're going to need you
10 for 10 more days. Would that be up to the Captain to negotiate that or would that be up
11 to the client or would you have a say in that? How would that work?

12 **WIT:** So if pending any inspection dates of course, annual inspection dates as long as
13 the job did not interfere with any inspection dates that we needed to actually be in for,
14 for a specific period of time, no. Unless it did not effect if we had another job upcoming
15 then it is not uncommon for the vessel to extend. The client to extend and want to keep
16 the vessel.

17 **CAPT Phillips:** Does the client provide deadlines of when the ship needs to be at a
18 certain location or when they need to be in port?

19 **WIT:** No, ma'am.

20 **CAPT Phillips:** How are your crew changes typically occur when the boat's out and
21 underway or jacked up?

22 **WIT:** Of course in port our crew change can happen at any time, it could be in the
23 evening, it could be in the morning, mid-afternoon. It's decided between the Master and

1 the client, if we are working for a client. If they are offshore it would have to be in
2 conjunction with a vessel run. So that all goes into play of how and when that happens.
3 Excuse me, and when it is in port it'll just happen in port though Master hand over
4 notes. Usually they spend time together, the two Masters before taking off. And same
5 thing offshore. They'll talk about – they always leave Master hand over notes, but of
6 course whenever time permits they do speak to each other before departing letting them
7 know how the job is going, what to expect and whatnot.

8 **CAPT Phillips:** If you have to do an offshore crew change with a vessel run, who
9 coordinates the vessel to go out there?

10 **WIT:** That is the client.

11 **CAPT Phillips:** Is it up to the client when that crew change happens?

12 **WIT:** Most of the time yes. Of course they try to work with us, but not always can they
13 get a boat on his schedule so you could be plus or minus a day or two.

14 **CAPT Phillips:** Does it ever go more than that?

15 **WIT:** It has, yes.

16 **CAPT Phillips:** You said one of your areas of responsibility is customer complaints.
17 Do you receive a lot of complaints?

18 **WIT:** No, ma'am.

19 **CAPT Phillips:** What was the last one you remember?

20 **WIT:** I cannot recall.

21 **CAPT Phillips:** Do you talk with the client on a regular basis?

22 **WIT:** No, ma'am, not often.

23 **CAPT Phillips:** Who makes the charter agreements with the client?

1 **WIT:** To my knowledge that is the marketing group.

2 **CAPT Phillips:** Do you know what kind of charter is in place with TALOS?

3 **WIT:** The only information is what I receive from the marketing group. Normally it is
4 just the type of work we're going to do, persons on board, how many we can be so that
5 way I can let the Captain know you know to prepare a grocery order for his next
6 upcoming charter and what he can prepare for equipment wise.

7 **CAPT Phillips:** Does the client tell you how many people they want to put on board for
8 a certain run?

9 **WIT:** Yes the client will tell our marketing and logistic personnel and they will feed it to
10 me. And then from there I will feed it to the Master for groceries. So we have a round
11 about amount. It's never a finite number.

12 **CAPT Phillips:** Is there a cap on the number of people you can transport to the job?

13 **WIT:** Yes. We're allowed to have 50, 50 people on board, 36 PACs, persons addition
14 to the crew.

15 **CAPT Phillips:** Are there jobs where you transport 36 people?

16 **WIT:** I'm sure there are, yes.

17 **CAPT Phillips:** What's the usual number that you will move?

18 **WIT:** Ma'am, it all depends on the type of job whether it's a construction job, plugging
19 or banding coil tubing, it all varies.

20 **CAPT Phillips:** How much notice do you get when a client wants to move a boat from
21 one spot to the other?

22 **WIT:** Well of course on the job it doesn't always go as planned so it could be anywhere
23 from 2 days, 3 days, to 1 day. We always know where the next location is going to be.

1 That way we can prepare the check sheets available for the Master and to know check
2 forecast before it is time to leave. So it's never an immediate, you know hey we got to
3 go, we've got to deliberate, we've got to go. It's never like that. There's always some
4 type of timing for us to prepare.

5 **CAPT Phillips:** You said that you prepare a check sheet for the boat?

6 **WIT:** Yes, that's correct. It's an operations and area manager check sheet in regards
7 to the LAT and LONG of where we're going. I'll look at the soil data sonar charts and
8 approve positioning of where the vessel can hold position at either that location or the
9 next location.

10 **CAPT Phillips:** You said positing, but you said a couple things before that. SOL or
11 SAR?

12 **WIT:** I'm sorry soil. Yes if it's sand, clay. Yes, I'm sorry soil data. That way we can
13 accurately predict penetration by the locations we're going to.

14 **CAPT Phillips:** And did you say that check sheet included weather as well?

15 **WIT:** No, ma'am.

16 **CAPT Phillips:** So once that check sheet is done you send it to the client or you send it
17 to the vessel?

18 **WIT:** So we request from the client where they would particularly like the vessel to be,
19 whether that would be on the South side, North side. And then I will put together where
20 I feel the vessel would best fit their project and not impede any pipelines or can holes or
21 anything to that nature. Then we'll discuss it with our marketing teams since they are in
22 talks with the client as well as final approval comes from Mr. Joey Ruiz. And then I will

1 send it to the Master that way of course since he is the one putting this vessel on if he's
2 comfortable with the position as well.

3 **CAPT Phillips:** And then once it's approved it gets sent back to the ship?

4 **WIT:** Yes, ma'am.

5 **CAPT Phillips:** What happens if the vessel needs to come in for maintenance either
6 planned or unplanned?

7 **WIT:** Then it will come in.

8 **CAPT Phillips:** How does that interaction with the client go?

9 **WIT:** Normally not good, but we have to take care of our vessels so if something does
10 happen where it deems a vessel must come in we'll tell the client we have to demob
11 and bring the vessel in.

12 **CAPT Phillips:** Is there a penalty for that?

13 **WIT:** The penalty is we go off charter, that's about it. That I'm aware of. There could
14 be more but I'm not familiar with the terms and conditions.

15 **CAPT Phillips:** If a vessel is scheduled to depart on a certain day and they can't get
16 underway because of bad weather how does that interaction work with the client?

17 **WIT:** So they'll either keep us on regular rate or we can possibly go on a standby rating
18 due to waiting on weather. That's all between the client and the market group. But it
19 happens, it does happen.

20 **CAPT Phillips:** What kind of issues do the vessels bring to you attention?

21 **WIT:** Can you be a little bit more specific on that?

22 **CAPT Phillips:** Do the ships come to you if they have problems with the engines?

1 **WIT:** Most likely they would go to the Technical Superintendent and then just keep me
2 in the loop or the Technical Superintendent will keep me in the loop.

3 **CAPT Phillips:** Do they tell you if they have problems with their lifesaving equipment?

4 **WIT:** Again that will still go towards the Technical Superintendent but I am aware of
5 what's going on.

6 **CAPT Phillips:** Do you ever get underway with the vessels?

7 **WIT:** No, ma'am.

8 **CAPT Phillips:** Are you ever involved in audits of the vessels?

9 **WIT:** I am if I'm asked to assist or do a final review.

10 **CAPT Phillips:** Are you aware of any issues with SEACOR POWER had on the
11 morning of the 13th?

12 **WIT:** Yes. All issues were resolved I know they had one of their starboard outboard
13 mains, excuse me, they had issues with it. Of course we had lost a life raft and some
14 grating, non-structural integrity to the crane grating needed to be repaired. But that was
15 all completed before departure.

16 **CAPT Phillips:** Do you know any more about the issue with the starboard outboard
17 main?

18 **WIT:** I know it was repaired.

19 **CAPT Phillips:** Would a vessel call you if they stopped work?

20 **WIT:** They could. Normally they'll send it via email to one of our distributions letting
21 them know that they've completed a stop work authority for whatever reason it would
22 be. But they could call, yes.

23 **CAPT Phillips:** Can you give us an example of a recent stop work that you remember?

1 **WIT:** Yes, ma'am. Most of them are due to weather in transit. And that's normally the
2 one. As lift boats we can't transit in high seas nor particularly high winds. So when
3 conditions get too bad during transit they'll jack up and ride it out.

4 **CAPT Phillips:** Do the Captains ever come to you with recommendations on how to do
5 things better?

6 **WIT:** In regards to what aspect?

7 **CAPT Phillips:** Any type of recommendations regards to operations or
8 communications or any other vessel related topics?

9 **WIT:** Not that I can think of offhand.

10 **CAPT Phillips:** Do you ask for recommendations from any of the Captains on any
11 topics?

12 **WIT:** I always say constructive criticism for anything that I do, especially since I'm in an
13 office whereas they're offshore. So I try to cater to their needs more than anything.

14 **CAPT Phillips:** What kind of paperwork or reports or other things do you normally get
15 sent? I know you said you get the daily reports. What else comes in on a regular
16 basis?

17 **WIT:** Wow. On a regular basis we'll get crew change information. We'll get our daily
18 reports. We'll get the logs, the vessel daily logs of you know bunkering, pretty much
19 what the accounting group uses for accounts payable and receivables. I'll get invoices
20 to approve in regards to requisitions, groceries, anything of that nature. We'll get emails
21 from Class stating you know letting us know that some vessels are coming due for
22 either dry dock or an annual, giving us the 3 month notice or 6 month notice, one of
23 those. Marketing, get emails from marketing regards to upcoming campaigns that I may

1 have to work on for a potential job. Warehouse inventory letting me know that you know
2 say for a part that I order that needs to be sent out gets sent out. So it's a full round
3 office discussion of all aspects throughout the day.

4 **CAPT Phillips:** Okay. You said that you get logs from the vessel. How are those logs
5 sent to you?

6 **WIT:** Yes I get some logs that will come directly to me. Most of them are sent to a
7 distribution email directly to the accounting group. Which those logs primarily have the
8 same information on the daily reports. Of course the logs also includes the meals and
9 bunks that the client uses which does not really pertain to me.

10 **CAPT Phillips:** Do vessels ever send you a stability report?

11 **WIT:** Only if requested.

12 **CAPT Phillips:** When do you request them?

13 **WIT:** Not often.

14 **CAPT Phillips:** Do you remember the last time you requested one from the SEACOR
15 POWER?

16 **WIT:** No, ma'am.

17 **CAPT Phillips:** Do you remember ever getting a stability report from the SEACOR
18 POWER?

19 **WIT:** No, ma'am.

20 **CAPT Phillips:** How often do you go on board the vessel when it's at the dock?

21 **WIT:** I try making it – I try to go anytime they are in dock. I think my last visit was the
22 4th of February for the SEACOR POWER.

23 **CAPT Phillips:** And what do you do when you're on board?

1 **WIT:** Visit, visit with the Captain. We do have these vessel visit reports they have to fill
2 out. Whether we were talking about safety and security, pause observations the weekly
3 occurrences that get sent out. Weekly by the safety group. Talk, you know just talk
4 about the vessel and the crew.

5 **CAPT Phillips:** Do you know of any major changes to the SEACOR POWER over the
6 last 5 years?

7 **WIT:** Over the last 5 years, no, ma'am.

8 **CAPT Phillips:** Ten years?

9 **WIT:** The last known major change that I'm aware of was in 2012 when 15 foot of leg
10 was added.

11 **CAPT Phillips:** Thank you. I'm going to turn it over to some other folks to see if they
12 have some questions. I'm going to start with Mr. Ehlers with the NTSB.

13 **Mr. Ehlers:** Good afternoon Mr. Fremin can you hear me?

14 **WIT:** Yes Mr. Ehlers I hear you.

15 **Mr. Ehlers:** Alright, thanks. Thanks for your testimony. Just some follow ups on the
16 questions that Captain Phillips asked you. Just a little bit more on your interaction with
17 the dispatcher. Does the dispatcher communicate with you directly or passing
18 information regularly?

19 **WIT:** No, sir, not very often.

20 **Mr. Ehlers:** Okay. And maybe this isn't the right question for you, but does the
21 dispatcher actually dispatch vessels?

22 **WIT:** No, sir.

23 **Mr. Ehlers:** Okay.

1 **WIT:** In regards to telling them when to leave or depart?

2 **Mr. Ehlers:** Umm huh.

3 **WIT:** No, sir. That is not part of their job description.

4 **Mr. Ehlers:** Okay. So the dispatcher, he or she doesn't provide you with regular
5 information from the vessel or anything like that?

6 **WIT:** Just in the morning they will provide a vessel daily report which they pull
7 information from all the individual vessel reports that I already receive or in operations
8 and everyone receives. They will compile that into one report and that's the only
9 interaction that I will get.

10 **Mr. Ehlers:** And you said the daily reports you already receive. You get those once a
11 day? When do those reports come in?

12 **WIT:** Twice a day. 0600 and 1500 Central Standard Time.

13 **Mr. Ehlers:** And does that information provide, or does that report does that provide
14 where – the location of the vessel?

15 **WIT:** That's correct.

16 **Mr. Ehlers:** And it provides weather information?

17 **WIT:** That is correct.

18 **Mr. Ehlers:** And do you review those reports for all of your vessels?

19 **WIT:** Yes, sir.

20 **Mr. Ehlers:** Have you ever taken any action based on those reports?

21 **WIT:** In regards to what, sir?

22 **Mr. Ehlers:** The reported weather is poor or there's an engineering issue reported. Is
23 there any action that you need to take as a result of receiving operational reports?

1 **WIT:** No there's no action I need to take, that I'm required to take. I have taken action
2 if I read something that didn't seem right. I may send an email for them to verify. Or
3 call and ask them about it. But I'm not required to answer or anything of that nature.

4 **Mr. Ehlers:** Do you have anything where it's plotting the position of each of the vessel
5 as they're moving or as they're on station?

6 **WIT:** Whenever they're transiting we do ask them to send out reports every six hours
7 pretty much of their heading, speed, weather, destination ETA. We do ask of that and
8 when they're jacked up. And transiting they send the morning and afternoon reports.

9 **Mr. Ehlers:** Okay so is the six hour they report is that different from the daily report?

10 **WIT:** That's correct. It's a transit report. So they it'll only be sent when a vessel is
11 transiting.

12 **Mr. Ehlers:** And who sends, or who receives those reports?

13 **WIT:** They send it to the same distribution operations email.

14 **Mr. Ehlers:** Is anyone taking that information and plotting it or putting it together in any
15 sort of picture?

16 **WIT:** No, sir. Not to my knowledge.

17 **Mr. Ehlers:** So I'm still not quite clear on how scheduling works for the boats. And let
18 me use the SEACOR POWER as the example. We know from a previous testimony
19 that it came in on a Sunday afternoon or Sunday during the day. And then left on
20 Tuesday. With the cargo showing up on Tuesday morning how is that all coordinated?
21 Who coordinated with the customer for the schedule of arrival, departure, that kind of
22 thing?

1 **WIT:** So again I receive information from the marketing group, because they're in direct
2 contact with the client and I will get the information of, you know we're going to load out
3 at Bollinger North, have the boat be there for 0600 that's when the equipment is going
4 to show up. So I'll relay to the Captain hey, I believe he was sitting, no I don't recall
5 where he was before, but I'll tell him that you need to have the vessel here at this time
6 that we're going to begin load out, that's pretty much how it works.

7 **Mr. Ehlers:** So what I understand from reading some of the evidence there was a
8 crane assessment that was done or a crane inspection that was done or needed to be
9 done that effected the schedule. How was that coordinated? Did you coordinate that?
10 Or was that, how was that all coordinated?

11 **WIT:** Yes the Technical Superintendent, I believe it was quarterly inspections that
12 needed to happen. I asked him how long will we need? He said I believe it was a day
13 or two so I relayed to the marketing group you know I need a day or two for scheduled
14 maintenance for the vessel and they took it from there rather, and I believe the vessel
15 went off day rate due to our scheduled maintenance. And once quarterly's were
16 finished and we were at the dock resumed day rate.

17 **Mr. Ehlers:** Okay. So if I could try and summarize what we just discussed, the
18 scheduling is a combination of or a coordination between you and the marketing group
19 and the marketing group and the client. And I suppose you and the Captain. Is that
20 correct?

21 **WIT:** That is absolutely correct.

22 **Mr. Ehlers:** And who at the marketing group was in charge or responsible for the
23 SEACOR POWER and the contract that it was on?

1 **WIT:** That contract with TALOS was under Mr. Michael Vandala [sic].

2 **Mr. Ehlers:** And do you talk to Mr. Vandala [sic] regularly?

3 **WIT:** Yes I do.

4 **Mr. Ehlers:** A daily basis? Weekly basis? How often are you talking with him?

5 **WIT:** It all depends on the job, sir. It just depends how much movement is happening
6 with the vessel. Of course during load outs and whatnot I will keep him up to date on
7 the schedule whether we need to push back. Push back departure due to whatever
8 unforeseen event could happen. And then of course all the vessels working offshore
9 and operations are continuously going there's not much need to speak to him until it's
10 time for maybe another move or the vessel is ready to come off charter.

11 **Mr. Ehlers:** Have you had an issue of not being able to conduct say required
12 maintenance such as the crane inspection because of the schedule of the vessel?

13 **WIT:** No.

14 **Mr. Ehlers:** Have you ever had to call the vessel in for planned maintenance because
15 they've been out too long or the client demands overcome maintenance schedule?

16 **WIT:** I'm sorry like in regards to we have to meet a deadline date for an inspection so I
17 had to in?

18 **Mr. Ehlers:** Correct.

19 **WIT:** Yes, absolutely.

20 **Mr. Ehlers:** I'm going to jump around a little bit here so I apologize. So you mentioned
21 having sparingly having to get stability reports from the vessels that report to you. What
22 would compel you to ask for a stability report from one of your vessels that you
23 oversee?

1 **WIT:** Only if a client were to request it.

2 **Mr. Ehlers:** And have you had a client request a stability report?

3 **WIT:** No, sir.

4 **Mr. Ehlers:** Have you actually had to pull a stability report from any of your vessels?

5 **WIT:** I believe I pulled one on another vessel due to a modification we did by adding,
6 we added a component to one of the vessels and it was per request of Flag State and
7 Class to provide a stability report.

8 **Mr. Ehlers:** How long ago was that? Can you estimate?

9 **WIT:** That was a few years ago.

10 **Mr. Ehlers:** You mentioned the starboard outboard engine having to be repaired. Who
11 did the repairs on that? Was that the crew or was that by a third party?

12 **WIT:** I think it was in conjunction of both. I believe the Engineer and I'm not for certain
13 if it was Marine Systems out of Houma who conducted the repair.

14 **Mr. Ehlers:** Who would be the person we need to talk to about that repair?

15 **WIT:** Tommy Saunier.

16 **Mr. Ehlers:** You – on the morning that the vessel got underway, the SEACOR POWER
17 got underway you stated that you called the Captain twice I think you said around 8 and
18 around sometime after 10 getting a status. Is there a particular reason that day you had
19 to call him twice to get an update? Was the client pushing you for information about
20 getting underway?

21 **WIT:** Absolutely not. It was just for my own knowledge and asking if he was satisfied
22 with how everything was going.

1 **Mr. Ehlers:** You said you're responsible for the appraisals for the Captains. Can you
2 give me a general idea of Captain Ledet's appraisals? Were they positive? Were there
3 any concerns you had?

4 **WIT:** I will have to pull up my last appraisal for him. So I don't want to speculate, but if I
5 would it would have been a positive appraisal for Captain Ledet.

6 **Mr. Ehlers:** Did you have any specific issues that came up while under your oversight
7 for Captain Ledet as far as his appraisals?

8 **WIT:** No.

9 **Mr. Ehlers:** Alright thank you Mr. Fremin.

10 **WIT:** Yes, sir.

11 **CAPT Phillips:** Thank you Mr. Ehlers. Mr. Kucharski.

12 **Mr. Kucharski:** Hello Mr. Fremin thank you for being here.

13 **WIT:** Yes, sir.

14 **Mr. Kucharski:** Lieutenant Alger could you pull up Exhibit 78C, page 170? [Showing
15 Exhibit]. Can you scroll down to item number 5. So Mr. Fremin is, we have here
16 Technical and Operation Managers, is your job somewhere in here? Your job
17 description?

18 **WIT:** Yes, sir. I would be considered just and Operations Manger.

19 **Mr. Kucharski:** And we understood from Mr. Saunier that there are no Technical
20 Managers, is that correct?

21 **WIT:** That is correct.

22 **Mr. Kucharski:** So who takes over the technical managers job?

23 **WIT:** I would say that would default to Mr. Joseph Ruiz.

1 **Mr. Kucharski:** I see, okay. And then how would I know by looking at this which items
2 you're responsible for? Which applies to the Operations Manager?

3 **WIT:** I cannot answer that.

4 **Mr. Kucharski:** Do you oversee either the Master or Chief Engineer in any way?

5 **WIT:** In what regards do you mean oversee?

6 **Mr. Kucharski:** A general oversight to make sure proper procedures are being
7 followed on the vessel.

8 **WIT:** Yes I speak to the officers on a regular basis, yes.

9 **Mr. Kucharski:** And so you say you speak to them. Do you talk to them about the
10 procedures in the operations manual?

11 **WIT:** I'm sorry you're going to have to be a little more specific in regards to which
12 procedures.

13 **Mr. Kucharski:** Sure I'll go right to it. Lieutenant Alger Exhibit 59 page 35 [showing
14 Exhibit]. A little bit further down it talks about watertight integrity. Do you go over that
15 policy with the vessels, Masters?

16 **WIT:** I'm sorry your audio broke up. I missed the question, sir.

17 **Mr. Kucharski:** Yeah. Do you go over the watertight integrity policy with the vessel's
18 personnel?

19 **WIT:** Again if request or required to then it will be brought up. It's not something we'll
20 talk to on a regular daily basis.

21 **Mr. Kucharski:** Who would request to ensure that you're – that they're complying with
22 the watertight – or they're following the watertight integrity policy?

1 **WIT:** Well again that would be part of the pre-departure checklist that's seen in internal
2 audits of the vessel. So that would determine if they are following their checklist.

3 **Mr. Kucharski:** Okay. So you don't particularly look at those?

4 **WIT:** I look at them in our final review of the audits, yes.

5 **Mr. Kucharski:** In the audits, okay. So no other check, you don't do any other check?

6 **WIT:** There's, again it's a little deceiving of a question to know if we're talking about in
7 port, if we're in transit, if we're jacked up.

8 **Mr. Kucharski:** Underway.

9 **WIT:** Underway then no I'm not there to follow up or there to see if watertight integrity
10 has taken effect.

11 **Mr. Kucharski:** Do you in any way check to determine if cargo is lashed as per the
12 cargo securing manual?

13 **WIT:** No, sir.

14 **Mr. Kucharski:** We talked about the stability forms or one coming into the office that
15 you forwarded on to another entity. Did you in any way ensure that the vessel was
16 operating within stability parameters?

17 **WIT:** No, sir. I rely on the Master for that.

18 **Mr. Kucharski:** When you received that stability form were you able to look it over and
19 determine if the – if it was to be calculated properly?

20 **WIT:** In regards to the SEACOR POWER?

21 **Mr. Kucharski:** The form, stability form that you said was sent in, forms that were sent
22 in for another matter. Were you able to actually look at the form and tell if they were
23 calculated properly?

1 **WIT:** I'm sorry I'm not really understanding the question.

2 **Mr. Kucharski:** You received -----

3 **WIT:** Yes I can read the form yes.

4 **Mr. Kucharski:** Would you be able to tell if it's being properly filled out and that they're
5 calculating it properly?

6 **WIT:** Well again it's the program does the calculations for you. That will give you a
7 negative number or a negative figure or something that is thrown off if the stability is
8 done incorrectly. Or if the numbers were inputted incorrectly then you could be
9 overloading your boat. But the program will tell you that.

10 **Mr. Kucharski:** Prior to the accident were you aware that the SEACOR POWER
11 personnel were using an Excel spreadsheet to calculate their stability?

12 **WIT:** That's correct, yes.

13 **Mr. Kucharski:** And do you know if any comparison with the spreadsheet was made to
14 the actual form that's in the manual?

15 **WIT:** To my knowledge the spreadsheet comes from the manual.

16 **Mr. Kucharski:** I'm sorry could you elaborate on that it comes from the manual?

17 **WIT:** Well you can't – the spreadsheet is made from the table and figures within the
18 manual.

19 **Mr. Kucharski:** But does anyone check to see that it conforms?

20 **WIT:** The form could be 20 years old, not to my knowledge.

21 **Mr. Kucharski:** I'm sorry you said the form could be 20 years old?

22 **WIT:** Well the form was created when the Ops manual was created.

1 **Mr. Kucharski:** Okay. Did you assess the ship handling capabilities of the Captains?
2 How did you do this? How did the company do this?

3 **WIT:** Ship handling in which way, sir?

4 **Mr. Kucharski:** Handling the boat in seas, ship handling.

5 **WIT:** Again I'm not understanding your question. Are you saying if we think Captain
6 Ledet is capable of, or any Captain handling the vessel?

7 **Mr. Kucharski:** We saw an audit form that was ship handling capabilities were
8 assessed. Do you review that at all?

9 **WIT:** I'm sorry I'm not quite certain what you're talking about.

10 **Mr. Kucharski:** So did I understand that there was no one ashore that is tasked to
11 actually monitor the weather, is that correct?

12 **WIT:** Not to my knowledge.

13 **Mr. Kucharski:** And I'm sorry what did you say you did your previous employer? What
14 position you had there?

15 **WIT:** I was a Technical, I guess you can say a Technical Superintendent in
16 maintenance and repair.

17 **Mr. Kucharski:** Okay. And did you say that as part of your duties you appraised the
18 Captains skills, like navigation skills?

19 **WIT:** Yes, sir.

20 **Mr. Kucharski:** How did you do that? How did you evaluate the Captains navigation
21 skills?

22 **WIT:** So this is based off my personal opinion. So in aspects to navigation skills me
23 speaking with the Captains on a daily basis to know when transit and whatnot and see

1 them during inspections to know their knowledge of their wheelhouse, their knowledge
2 of the their equipment on the bridge and that's how I make my assessments.

3 **Mr. Kucharski:** I'm sorry. Have you had any formal navigation training?

4 **WIT:** No, sir.

5 **Mr. Kucharski:** You also I believe said you received notifications from Class as part of
6 your duties that came in as email or correspondence?

7 **WIT:** Yes, sir, that's correct.

8 **Mr. Kucharski:** And what did you do with them when you received them?

9 **WIT:** Make sure that we know that in 3 months it will be time to come in or 2 months,
10 keep on top of the scheduling whenever it's time to come in.

11 **Mr. Kucharski:** Okay. So it was a scheduling function as far as what you're doing?

12 **WIT:** Yes, sir. It's just to make sure everybody's aware because we do have drop dead
13 dates for these vessels that must come in for inspection. So I just make sure everyone
14 is aware. And if a vessel is on charter or on track that the vessel will you know
15 potentially have to come into port for a few days for inspection.

16 **Mr. Kucharski:** And where were you physically located on April 13th up until the
17 capsizing of the SEACOR POWER?

18 **WIT:** Sure. Due to COVID we were working from home and I currently live in
19 Thibodeaux, Louisiana.

20 **Mr. Kucharski:** I'm sorry are you somewhere in the Port Fourchon area?

21 **WIT:** No, sir. I am, time wise and hour and a half North, North Northwest of Port
22 Fourchon.

1 **Mr. Kucharski:** I see, okay. Did you see any bad weather where you were?

2 Thunderstorms?

3 **WIT:** We did have weather come through. Yes we did have thunderstorms and rain
4 come through.

5 **Mr. Kucharski:** Was it windy and such there at the time it went through?

6 **WIT:** There were some thunderstorms, yes.

7 **Mr. Kucharski:** And you knew the SEACOR POWER was leaving Port Fourchon on
8 that day, correct?

9 **WIT:** I did, yes.

10 **Mr. Kucharski:** Could you have called the vessel or dispatch to let them of the weather
11 coming through?

12 **WIT:** Well again I live in Thibodeaux, I was not in Port Fourchon.

13 **Mr. Kucharski:** Has anything changed after the SEACOR POWER capsized in the way
14 SEACOR conducts business?

15 **WIT:** It conducts business in what way, sir?

16 **Mr. Kucharski:** Well anything on the safety end or weather or anything on your
17 structure?

18 **WIT:** Yes.

19 **Mr. Kucharski:** Can you elaborate on that?

20 **WIT:** Yes, absolutely. I absolutely can, yes. After the SEACOR POWER incident we
21 felt it necessary to closely monitor particularly POB count on board the vessels at all
22 times. Implement weather forecast for any type of transit. Stability program, we ask
23 them to send in our stability program. Yeah and that happens any transit whether it's

1 around port or transiting from one location to another. So we have implemented those
2 changes.

3 **Mr. Kucharski:** Great thank you Mr. Fremin for your time. Thank you and your
4 answers. Thank you Captain.

5 **WIT:** Yes, sir.

6 **CAPT Phillips:** Thank you Mr. Kucharski. Mr. Lawrence.

7 **Mr. Lawrence:** Good afternoon Mr. Fremin can you hear me okay?

8 **WIT:** Yes, sir. Mr. Lawrence.

9 **Mr. Lawrence:** You said you're not familiar with the terms and conditions of the time
10 charter, is that correct?

11 **WIT:** Yes, sir, that is correct.

12 **Mr. Lawrence:** Would you be the point of contact for the charter though if they had
13 concerns about the vessel?

14 **WIT:** No, sir. Again goes directly with marketing.

15 **Mr. Lawrence:** And then marketing would contact you and you would take care of it?

16 **WIT:** Yes, sir. I would most likely will hear it from the Captain on board who's in direct
17 contact with the company rep on board. So it could come from either way.

18 **Mr. Lawrence:** Okay. Are you aware of what day SEACOR POWER went on charter,
19 this latest contract for TALOS?

20 **WIT:** It was the day of the 13th I believe. I don't have the exact time right in front of me.

21 **Mr. Lawrence:** Okay. Do you know what day it went on charter?

22 **WIT:** Oh the original contract, no, sir. I don't have that in front of me.

23 **Mr. Lawrence:** I don't have any more questions.

1 **CAPT Phillips:** Thank you Mr. Lawrence. We're going to pass it over to the parties in
2 interest to see if they have any questions. We have been going for about an hour and
3 20 minutes. Would you prefer to take a break Mr. Fremin or continue?

4 **WIT:** No, ma'am I'm fine to continue is everyone else is.

5 **CAPT Phillips:** Okay. I'm going to turn it over to our parties in interest then. I'll start
6 with the First Mate.

7 **Mr. Sterbcow:** Good afternoon my name is Paul Sterbcow I represent Bryan Mires the
8 First Mate on the SEACOR POWER. Lieutenant would you pull up Exhibit 59 page 52?
9 [Showing Exhibit]. Mr. Fremin let me ask you first of all have you had the opportunity to
10 read the SEACOR POWER marine operations manual front to back?

11 **WIT:** Not the entire full operations manual.

12 **Mr. Sterbcow:** Have you read Section 5.6.3 regarding underway precautionary
13 measures, do you ever recall reading that?

14 **WIT:** Yes.

15 **Mr. Sterbcow:** If we look at section 4 it talks about legs and they intend to whip in
16 support towers. Are you familiar with that phenomenon?

17 **WIT:** I do know what the support towers are, yes.

18 **Mr. Sterbcow:** But are you familiar with the concept or phenomenon of legs whipping
19 and the effect of that whipping on the stability of the vessel? Is that something you
20 know anything about?

21 **WIT:** I do know that yes, whip. The legs can whip, yes. They're whipping the entire
22 transit, so yes.

1 **Mr. Sterbcow:** Do you know whether or not the whipping action can affect the stability
2 and the Master's ability to operate the vessel?

3 **WIT:** It could in impeding winds with seas, yes.

4 **Mr. Sterbcow:** Would you agree that the higher the winds the worse that whipping
5 problem can become?

6 **WIT:** To an extent.

7 **Mr. Sterbcow:** Would you agree that the higher the legs the worse that the whipping
8 problem can become?

9 **WIT:** No I disagree with that.

10 **Mr. Sterbcow:** Does leg height affect this whipping phenomenon in any manner?

11 **WIT:** Not to my knowledge.

12 **Mr. Sterbcow:** If we go down to number 5 it says if possible the route should be
13 conducted when good weather and calm seas are predicted for the duration of the
14 move. In conjunction with that language is that the reason that you and Captain Ledet
15 went over the weather report the way you described the morning of the 13th?

16 **WIT:** I will not say it was due to the, that particular section 5, no.

17 **Mr. Sterbcow:** So what you did with Captain Ledet that morning is just something that
18 is done at SEACOR?

19 **WIT:** Yes, sir. Between myself and the Captains, yes.

20 **Mr. Sterbcow:** Do you know whether or not each watch on the SEACOR POWER
21 received at least one adequate weather report for the course and location of the vessel?

22 **WIT:** I cannot confirm, but there are multiple tools what's in the bridge where the officer
23 of the watch should be to receive weather.

1 **Mr. Sterbcow:** And what are those tools?

2 **WIT:** It can be anywhere from the IMARSAT C, the NAVTEX weather, the VHF radio.
3 They have access again to weather subscriptions that we provide. And even as far as
4 the ECS computer with the charts you can see weather updates.

5 **Mr. Sterbcow:** And let me ask you with respect to the weather that SEACOR would
6 provide, other than the 7 a.m. report in the morning from the dispatcher was there any
7 policy or standard operating procedure whereby SEACOR would provide additional
8 similar weather reports or weather bulletins to vessels underway like the SEACOR
9 POWER?

10 **WIT:** No, sir. Again it's up to the Master to request guidance for that.

11 **Mr. Sterbcow:** So from your perspective you would rely on the Master if he felt he
12 needed weather information he would have to either email or call you from the vessel?

13 **WIT:** Well again he has all the tools in front of him to do that. Whether he has internet
14 or not due to everything being from an antenna, so if he requested additional weather
15 then yes I would provide it.

16 **Mr. Sterbcow:** And when such a request is made what source do you go to, to provide
17 a response?

18 **WIT:** I'd primarily use the subscription, the annual subscription that SEACOR pays for
19 which is buoy weather dot com.

20 **Mr. Sterbcow:** And do you know whether or not buoy dot com as a subscription
21 service provides updated forecast throughout the particular day?

22 **WIT:** Yes buoyweather.com provides a four hour update per day, for I believe I can see
23 as far as 7 days in advance of winds, seas, current in periods of seconds for the seas.

1 **Mr. Sterbcow:** And does buoyweather.com provide bulletins or warnings that may be
2 issued by the National Weather Service, do you know?

3 **WIT:** Buoyweather.com, no, sir, not to my knowledge.

4 **Mr. Sterbcow:** And if I understand you correctly no one at SEACOR is tasked with the
5 responsibility of monitoring weather in ensuring that the SEACOR POWER or vessels
6 underway have the most updated weather information that they can get?

7 **WIT:** Again that is the most up to date weather is what it is in front of him. With their
8 IMARSAT C, with their NAVTEX and their VHF radio they are constantly getting
9 weather alerts on what is decided to be sent out. So they have the most up to date
10 weather.

11 **Mr. Sterbcow:** Are you aware of any SEACOR shore side facilities, excuse me,
12 equipped with a VHF marine radio?

13 **WIT:** No, sir. Not to my knowledge.

14 **Mr. Sterbcow:** Do you know whether or not any weather bulletins or warnings were
15 transmitted over channel 16 that the SEACOR POWER would have heard prior to her
16 capsizing on April 13th?

17 **WIT:** No, sir. Not to my knowledge.

18 **Mr. Sterbcow:** If we, Lieutenant could you go back to 59 page 52 again? [Showing
19 Exhibit]. 6.A, says vessel Master shall ensure that the vessel remains in a seaworthy
20 condition with deck cargo properly distributed, trim and heel approximately level and
21 secure, chained down or welded. Were you aware before I just read this that it is in the
22 operations manual that deck cargo is supposed to be secured, either chained down or
23 welded?

1 **WIT:** Yes. There's also somewhere in there that also deems that it may not have to be.

2 **Mr. Sterbcow:** Can you tell me about where that language is?

3 **WIT:** I don't have it in front of me, but it does mention if friction is involved.

4 **Mr. Sterbcow:** Did you say friction, I'm sorry?

5 **WIT:** Yes, sir. I did say friction. It doesn't always have to be chained or welded due to
6 friction. On our decks we paint a three coat system with nonskid. And friction can also
7 be a worthy securing method.

8 **Mr. Sterbcow:** So the nonskid on the deck can be a source or an alternative method
9 by which the cargo is secured?

10 **WIT:** Again friction.

11 **Mr. Sterbcow:** Friction. But the friction would require that the nonskid or the friction
12 based coating be on the deck, correct?

13 **WIT:** Correct.

14 **Mr. Sterbcow:** And the SEACOR POWER had that friction based coating on her deck
15 on April 13th?

16 **WIT:** That I cannot confirm.

17 **Mr. Sterbcow:** Well if she did from a management standpoint would the fact that the
18 cargo was not secured, but was sitting on a friction coated deck would that satisfy
19 SEACOR's policy with respect to securing vessel cargo?

20 **WIT:** Again that would be up to the vessel Master, not SEACOR shore.

21 **Mr. Sterbcow:** Alright. And conversely if the cargo was not secured that in and of itself
22 does not tell you that Captain Ledet or anybody on the SEACOR POWER violated any
23 SEACOR policy, correct?

1 **WIT:** Again if I'm not aware if it's lashed down then I have no knowledge of that unless
2 I'm told.

3 **Mr. Sterbcow:** If you had knowledge when the vessel left that morning that the cargo
4 was not secured would you have called Captain Ledet and told him to secure it?

5 **WIT:** No, sir. That is not my job. He is in charge of his vessel and cargo on it.

6 **Mr. Sterbcow:** So whatever decision he deems appropriate either securing or not
7 securing is okay with you in your position as Operations Manager?

8 **WIT:** Again it is up to the Master to do what he feels necessary for his vessel, yes.

9 **Mr. Sterbcow:** Alright. So you had no criticism on the decision on this morning giving
10 the knowledge and the conditions that Captain Ledet was aware of as an Operations
11 Manager in management at SEACOR, you have no criticism of the failures to secure
12 this cargo on this day for this voyage, right?

13 **WIT:** I'm don't think it really applies.

14 **Mr. Sterbcow:** Who within the SEACOR organization is primarily responsible for
15 tracking vessel movement, if anyone?

16 **WIT:** In regards to what, sir? I mean we get updates from the vessels to let us know if
17 and when they're moving.

18 **Mr. Sterbcow:** So in terms of somebody to look at the AIS readout or some other
19 system that would allow an office person to track the vessel beyond reports from the
20 vessel. Is there any such system in place at SEACOR?

21 **WIT:** Yes we have a website called PortVision 360 that some of us have access to view
22 the vessel on AIS.

1 **Mr. Sterbcow:** Is there any standard operating procedure requiring a particular person
2 to monitor that system?

3 **WIT:** No, sir.

4 **Mr. Sterbcow:** Similar question, different area. Is there any particular person at
5 SEACOR responsible, primarily responsible for responding to a vessel distress call?

6 **WIT:** Distress call from which piece of equipment?

7 **Mr. Sterbcow:** What's that?

8 **WIT:** That distress call from a telephone, from the GMDSS, the EPIRB, which piece?

9 **Mr. Sterbcow:** EPIRB.

10 **WIT:** EPIRB. To my knowledge the EPIRB is registered to SEACOR Marine and the
11 phone number on that is to our 24/7 dispatch.

12 **Mr. Sterbcow:** And who was the 24/7 dispatcher on duty when the SEACOR POWER
13 EPRIB transmitted it's distress signal on April 13th?

14 **WIT:** I would have to assume it was Mr. Nicholas Daigle as that's who the email came
15 from.

16 **Mr. Sterbcow:** And do you know if he is trained in how to receive such a message and
17 what to do when he receives it?

18 **WIT:** I'm not aware of any training for that, no, sir.

19 **Mr. Sterbcow:** If he is the designated SEACOR person to receive notification that a
20 distress signal has been issued, should he at least know where the vessel is located?

21 **WIT:** I don't know how to answer that, sir.

1 **Mr. Sterbcow:** Well yes or no would be okay. Should he know where the vessel is?
2 Or is there no requirement that he know where the vessel is even though he's been
3 designated as the SEACOR contact in the event a distress is issued?

4 **WIT:** Well he has the tools in front of him to see where the vessel is as well as a
5 receiving the reports.

6 **Mr. Sterbcow:** So then is there – are you aware of some procedure where that
7 requires him as the designated person to use those tools to determine exactly where
8 the vessel is if he should receive such a call? Is there any require – company
9 requirement?

10 **WIT:** Are you saying that he should be required to read his emails to determine the
11 vessel, again I'm – he has the stuff in front of him to see if and where the vessel is. So
12 that's as far as I can answer it.

13 **Mr. Sterbcow:** And as Operations Manager that's as far as you can go in answering
14 that?

15 **WIT:** Yes, I'm not Nicholas Dauge [sic], sir. So I'm not sure what he viewed or what at
16 the time of receiving the call from the Coast Guard.

17 **Mr. Sterbcow:** Are you aware of any training that Nicholas or anyone else received on
18 what they should, steps that should be taken if that person received notification of an
19 EPIRB distress call from the SEACOR POWER or any SEACOR vessel for that matter?

20 **WIT:** No, sir. I'm not aware of any training.

21 **Mr. Sterbcow:** And I think you said you were at home, were you at home all day on the
22 13th due to the COVID restrictions?

23 **WIT:** Yes, sir. That's correct.

1 **Mr. Sterbcow:** Okay. And your home, you're in Thibodeaux so you're about an hour
2 and a half or so North, Northwest of Fourchon?

3 **WIT:** Yes, sir, that's correct.

4 **Mr. Sterbcow:** Did you have any knowledge that the weather that passed through
5 Thibodeaux was headed toward Fourchon and the voyage location of the SEACOR
6 POWER?

7 **WIT:** No, sir.

8 **Mr. Sterbcow:** And I'm assuming based on your answers it never occurred to you that
9 the weather that you had seen may be headed toward this vessel while it was underway
10 offshore?

11 **WIT:** I had no knowledge it was heading South.

12 **Mr. Sterbcow:** Did TALOS dictate to SEACOR the cargo and the persons on board for
13 this voyage? Did they tell you what they wanted?

14 **WIT:** So the knowledge that I received from TALOS that we were going to do a coil
15 tubing job and we would have a number of personnel on board. That is the most
16 information that I received that I passed on to the Captain.

17 **Mr. Sterbcow:** Okay. Did you receive any information from TALOS regarding the
18 equipment, the cargo that the job required that they wanted transported aboard the
19 SEACOR POWER?

20 **WIT:** No, sir.

21 **Mr. Sterbcow:** Do you know whether or not TALOS has any contractual responsibility
22 or by virtue of their relationship with SEACOR any responsibility for rescue of a vessel
23 in distress like the SEACOR POWER?

1 **WIT:** No, sir, not to my knowledge.

2 **Mr. Sterbcow:** Do you know if the operators contract with third party rescue vendors to
3 provide any type of rescue service should it be needed? Is that something that's within
4 your purview?

5 **WIT:** No, sir. I'm not aware of any.

6 **Mr. Sterbcow:** Do you know whether SEACOR has a contract with any third party that
7 would provide emergency response services to a SEACOR lift boat in distress?

8 **WIT:** At the time, no.

9 **Mr. Sterbcow:** Do you know how Bristow helicopter came to be involved in this
10 rescue?

11 **WIT:** I do not know, sir.

12 **Mr. Sterbcow:** Did you or any other SEACOR, let me back up. You mentioned earlier
13 that Mr. Cenac sent out an email to mobilize the response team, is that correct?

14 **WIT:** That is correct, sir.

15 **Mr. Sterbcow:** And you were on the email receipt?

16 **WIT:** Yes, sir, that is correct.

17 **Mr. Sterbcow:** Who else was?

18 **WIT:** I can't name everyone, but I know our boss Mr. Joey Ruiz, Michael Cenac, John
19 Gillard our CEO, Jesus our CFO, and that's all I can recall.

20 **Mr. Sterbcow:** And was this a phone call, phone conference that you all had?

21 **WIT:** This was in Microsoft Teams.

1 **Mr. Sterbcow:** Okay. And can you tell me what was discussed during that Microsoft
2 Teams meeting amongst everybody that was participating about what needed to be
3 done?

4 **WIT:** Yes, sir. Just again we spoke about Coast Guard, I know during the meeting I
5 received a phone call from Coast Guard due to them calling me back in regards to the
6 SEACOR POWER so I spoke to that gentlemen. Letting us know that they had finally
7 received some type of word on the SEACOR POWER. So that was passed on. We
8 spoke with, we had Key and I [sic] involved. Just any emergency response. Of course
9 we started with, later and going on with the salvage company, same thing with the
10 pollution prevention that was all done later. But in regards to the beginning was all
11 getting in preparation for a search and rescue.

12 **Mr. Sterbcow:** And what affirmative steps did SEACOR itself take to initiate a rescue
13 of personnel on the SEACOR POWER?

14 **WIT:** So our response would have been to provide a vessel for the divers. That was
15 our response to be ready for a diver for a search and rescue and thereafter the salvage
16 side of it. So we immediately tried to mobilize one of our vessels in Morgan City but it
17 was held up due to a closure of one of the bridges. So we did try. So TALOS actually
18 offered one of the vessels they have on charter. But we were unable to mobilize that
19 one due to the DP [inaudible] status of it. So we had to ultimately wait for the SEACOR
20 BRAVE to show up to put diving equipment on for search and rescue.

21 **Mr. Sterbcow:** Was the SEACOR BRAVE the vessel in Morgan City that you
22 mentioned?

23 **WIT:** That is correct, yes.

1 **Mr. Sterbcow:** She was moored at the time, she was in port in Morgan City?

2 **WIT:** Yes. That's correct.

3 **Mr. Sterbcow:** And she could not leave as a result of a bridge closure?

4 **WIT:** It was the timing, the quickest way is through Houma and through the
5 Navigational Canal, but due to a bridge closure we had to go up through Eugene Island
6 which took a lot longer for the BRAVE to get there.

7 **Mr. Sterbcow:** And was the BRAVE the first SEACOR vessel on the scene to your
8 knowledge?

9 **WIT:** To my knowledge the BRAVE, well the BRAVE did not – the BRAVE came
10 straight to port.

11 **Mr. Sterbcow:** Came where?

12 **WIT:** To port.

13 **Mr. Sterbcow:** What port?

14 **WIT:** Port Fourchon. So we started loading up the divers.

15 **Mr. Sterbcow:** Alright so the BRAVE had to make that transit you just discussed, she
16 went to Fourchon loaded divers and then she headed out to the site of the capsized?

17 **WIT:** Yes, sir. In conjunction with the Coast Guard to start the search and rescue on
18 our side as well.

19 **Mr. Sterbcow:** Do you have any idea when the BRAVE actually arrived at the capsized
20 vessel?

21 **WIT:** I do not have that information in front of me.

22 **Mr. Sterbcow:** Do you know whether anybody at SEACOR was in constant radio
23 communication with the BRAVE?

1 **WIT:** With the BRAVE?

2 **Mr. Sterbcow:** Correct.

3 **WIT:** Yes.

4 **Mr. Sterbcow:** And who would that have been?

5 **WIT:** That would have been an Operation Manger for that boat, Mr. Clay Stribling [sic].

6 **Mr. Sterbcow:** And do you have, given you weren't the Ops Manager, do you have any
7 knowledge of what the BRAVE did and what type of rescue efforts she under took
8 whenever she got there?

9 **WIT:** I can't recall the full scope of the search and rescue operations for the BRAVE.

10 **Mr. Sterbcow:** But I take it from what you told me the intent was to bring rescue divers
11 out to see what they could do to get into the vessel to rescue as many people as
12 possible?

13 **WIT:** That's accurate, yes.

14 **Mr. Sterbcow:** And is that what SEACOR's rescue and response plan entails? Is that
15 what you would typically do whether it's SEACOR POWER or some other vessel in
16 distress like this?

17 **WIT:** We did try to reach out to another vessel that was already in Port Fourchon, but
18 they did not mobilize in time. So we ultimately went with the SEACOR BRAVE. But we
19 did reach out to multiple people within Port Fourchon to try to get a quicker vessel.

20 **Mr. Sterbcow:** Do you know whether the SEACOR POWER reached out to any
21 aviation rescue, helicopter rescue sources?

22 **WIT:** Not to my knowledge.

1 **Mr. Sterbcow:** And are you aware of any document that contains a list of vessel
2 owners or third party rescue service providers that SEACOR keeps that you can go
3 down a list and make a series of phone calls, reference, make a series of phone calls to
4 see if any of those resources are available?

5 **WIT:** Yes.

6 **Mr. Sterbcow:** And what's that document called?

7 **WIT:** I don't have the name in front of me. But it is on our share point.

8 **Mr. Sterbcow:** It's on what?

9 **WIT:** It's on our shared company folder. I don't know the name of the document right
10 off hand.

11 **Mr. Sterbcow:** Do you know who the custodian, who would keep a copy of that
12 document on their computer?

13 **WIT:** Yes, again it's on our shared folder. But of course our HSCQ department would
14 have that right away.

15 **Mr. Sterbcow:** Very good. Do you know whether or not SEACOR provided any, the
16 divers say, with any plans or drawings of the vessel so that they would have some idea
17 of what they would face when they arrived?

18 **WIT:** Yes, sir.

19 **Mr. Sterbcow:** They did?

20 **WIT:** Yes, sir.

21 **Mr. Sterbcow:** And those plans, whatever, do you know what they were? What were
22 the divers provided?

23 **WIT:** Yes. I actually provided the detailed drawings of the vessel to the dive crew.

1 **Mr. Sterbcow:** So when the boat left the dock with divers it had the detailed drawings
2 that you provided?

3 **WIT:** Yes.

4 **Mr. Sterbcow:** Did the rescue team that meet earlier via Microsoft meet again on the
5 13th after the initial meeting?

6 **WIT:** Yes the emergency response team, we all left our homes and proceeded down to
7 the command center which was deemed to be Bollinger North Yard in Port Fourchon.
8 We were able to obtain two trailers in the yard.

9 **Mr. Sterbcow:** And did you all meet and stay there for the duration of the night on April
10 13th?

11 **WIT:** I can't recall if everyone stayed, but the majority of us did, yes.

12 **Mr. Sterbcow:** And was that command center in communication with the BRAVE
13 throughout the evening while she was at the site?

14 **WIT:** So again the BRAVE did not get to the site that evening.

15 **Mr. Sterbcow:** Well give me, and I apologize I thought you told me you weren't sure
16 when she got there. Do you have an approximate time when she got there?

17 **WIT:** I don't have an approximate time, but it was not that evening. It took a while for
18 the BRAVE to get there. And then we had to load up all the equipment before she could
19 leave.

20 **Mr. Sterbcow:** Do you know whether she -----

21 **WIT:** I don't recall the exact time that she left port to head to the site.

22 **Mr. Sterbcow:** But I assume the BRAVE would keep a log of all this. You would have
23 a vessel log on the BRAVE that reflect times and where she was.

1 **WIT:** Absolutely, yes, sir.

2 **Mr. Sterbcow:** Do you know whether she arrived before sun up on the 14th?

3 **WIT:** Again, sir, I don't have that, unfortunately I don't have that information in front of
4 me. It's easy to obtain, but I do not have it.

5 **Mr. Sterbcow:** And do you have any knowledge as to, and I apologize if I asked you
6 this, but as time charter do you know whether or not TALOS would have its own rescue
7 response plan independent of SEACOR that they could initiate when they find that a
8 boat under their contract has capsized?

9 **WIT:** No, sir, I do not. I do not know that answer.

10 **Mr. Sterbcow:** That's all the questions I have. Thank you very much.

11 **WIT:** Yes, sir.

12 **CAPT Phillips:** Thank you Mr. Sterbcow. ABS.

13 **Mr. White:** Thank you Captain. ABS has no questions.

14 **CAPT Phillips:** Thank you Mr. White. SEACOR.

15 **Ms. Apps:** Thank you Captain Phillips. Paul can you hear me?

16 **WIT:** Yes, ma'am.

17 **Ms. Apps:** I'm going to start with cargo securing manual. Mr. Sterbcow asked you
18 about language in the operations manual, that's Exhibit 59, but I'm going to ask you to
19 look at, Paul the cargo securing manual for the SEACOR POWER. Lieutenant Alger
20 would you mind displaying Exhibit 115? [Showing Exhibit]. Do you see that on the
21 screen Paul?

22 **WIT:** Yes, ma'am.

1 **Ms. Apps:** The DIXIE ENDEAVOR is the old name for the SEACOR POWER, is that
2 right?

3 **WIT:** Yes, ma'am.

4 **Ms. Apps:** And do you see that this is a document that's titled cargo securing manual?

5 **WIT:** Yes, ma'am.

6 **Ms. Apps:** And on the top of that, what is that stamp? Do you see that?

7 **WIT:** That is stamp approved by the American Bureau of Shipping which is the Class
8 Society for the SEACOR POWER.

9 **Ms. Apps:** The date listed on the manual is 7 May 2010, but do you see below that
10 there is a stamp that says as amended?

11 **WIT:** Yes.

12 **Ms. Apps:** Does that include amendments that took place later than the 7th of May,
13 2010?

14 **WIT:** It could, yes.

15 **Ms. Apps:** Let me ask, Lieutenant Alger if you wouldn't mind going to page 9 of the
16 PDF. This is a long manual, but I'm just going to show you a couple of pages of it. If
17 you look at item number 4 on this page it reads, it is the Master's responsibility to
18 ensure that cargo and cargo units as defined in MSC/Circ 745 are all times stowed and
19 secured in an efficient manner taking into account the prevailing conditions and the
20 general principals of safe stowage set out in this manual. And that the securing
21 equipment and timber used are adequate for the loadings calculated in accordance with
22 this manual. Do you see that?

23 **WIT:** Yes, ma'am.

1 **Ms. Apps:** Lieutenant Alger could I ask you to put up page 89? Paul you see that this
2 is Appendix 1A and there's a diagram of the vessel underneath some printed text, do
3 you see that?

4 **WIT:** Yes, ma'am.

5 **Ms. Apps:** And it reads due to the nature of the jack up vessel they are restricted to
6 operations in sea states of 5 feet or less carrying standardized and semi-standardized
7 cargo and therefore rarely used tie downs as friction is capable of holding the cargo on
8 deck. Do you see that language?

9 **WIT:** Yes, ma'am.

10 **Ms. Apps:** Was that what you were referring to when you talked about friction
11 potentially playing a factor in a Mater's determination about whether or not to secure the
12 cargo?

13 **WIT:** Yes, ma'am. That is exactly what I was speaking of.

14 **Ms. Apps:** Lieutenant Alger you can take that down. Can I ask you to put up Exhibit 59
15 [showing Exhibit]. Mr. Sterbcow, this is the operations manual for the SEACOR
16 POWER, Paul, right? Do you recognize the front page there?

17 **WIT:** Yes, ma'am.

18 **Ms. Apps:** Do you see that this a 325 page document?

19 **WIT:** Yes, ma'am.

20 **Ms. Apps:** Mr. Sterbcow asked you if you had read it cover to cover and you said no.
21 But I'm going to ask you are you familiar with the relevant areas for your job
22 responsibilities at SEACOR?

23 **WIT:** Yes, ma'am.

1 **Ms. Apps:** I'm going to switch topics and come to weather. There's been much
2 discussion about buoy weather that SEACOR subscribes to. Let me start with the email
3 that goes out from the morning dispatch. Lieutenant Alger would you mind displaying
4 Exhibit 138? [Show Exhibit]. Do you see that this was the email that was sent from
5 dispatch on April 13 at 7:02 a.m. to various vessels as you described this afternoon
6 Paul?

7 **WIT:** Yes, ma'am.

8 **Ms. Apps:** It includes the BRAVE, the POWER and other vessels in the Gulf of Mexico
9 region, is that right?

10 **WIT:** Yes that is correct.

11 **Ms. Apps:** And it gives the forecast?

12 **WIT:** Yes, ma'am.

13 **Ms. Apps:** And what is the source of this weather data, do you know?

14 **WIT:** Again this just comes from a website that I know we've been subscribed to and
15 even at MONTCO [sic] as long as I've been working for MONTCOSEACOR that this is
16 where we primarily get our weather from. It's been the most reliable and accurate.
17 Where the weather data gets pulled from is within buoy weather.

18 **Ms. Apps:** And you gave a, I believe a latitude and longitude number for where this
19 particular weather was pulled from based on a subsequent, just from where this weather
20 was pulled from in your testimony. If I could ask Lieutenant Alger to put up Exhibit 203
21 [showing Exhibit]. Paul do you recognize that this is a picture of the Port Fourchon area
22 and identifies where the weather information came from, the location of the buoy
23 weather forecast data for the day of April 17?

1 **WIT:** Yes, ma'am.

2 **Ms. Apps:** And I think you indicated, those were the latitude and longitude numbers
3 that you gave earlier?

4 **WIT:** Yes, that's correct. So you see on the left hand side of this snap shot there's a
5 favorites tab that, that location is in a favorites tab that dispatch just has to click that and
6 it will give us the weather every morning from those exact same points.

7 **Ms. Apps:** You can take that down Lieutenant Alger, thank you. But just to be clear
8 when you were discussing weather with Captain Ledet on April 13th you weren't limiting
9 your discussion to a single point on the weather buoy system that SEACOR subscribes
10 to, right?

11 **WIT:** No, ma'am. I am able to as well as Captain Ledet, pick our own coordinates to
12 view the forecasted weather.

13 **Ms. Apps:** And when you say he is able are you aware as to whether or not he has
14 access to that buoy data on the computer in the Master's office on the SEACOR
15 POWER?

16 **WIT:** That's correct. We gave out the log INS to all of our vessels.

17 **Ms. Apps:** And just again the information that's provided is it forecast information that
18 the weather subscription service provides?

19 **WIT:** Yes, ma'am. All weather that is forecasted, yes.

20 **Ms. Apps:** And after the fact did you go to the subscription company and ask for a
21 sample of the type of weather information or weather data that the subscription service
22 provides – provides, it allows you to access I should say whether it's from the computer
23 or from your phone?

1 **WIT:** Yes, ma'am. We went and asked them to pull entire month of April from the
2 particular coordinates to show the forecasted weather.

3 **Ms. Apps:** So if I could ask Lieutenant Alger to pull up Exhibit 121 [showing Exhibit]. Is
4 this the document that you recently obtained from the subscription service that you
5 asked them to pull for April 13th, 2021?

6 **WIT:** Yes, ma'am. And you can see the coordinates they pulled of 29.04 North and
7 90.17 West.

8 **Ms. Apps:** And you see it provides different data waves height, wave period, wave
9 direction, wind speed, wind direction, do you see that?

10 **WIT:** Yes, that's correct.

11 **Ms. Apps:** Is that the type of information that's available on the buoy weather App
12 when you accessed it that morning when you spoke to Captain Ledet?

13 **WIT:** Yes that's correct. I get to see it for that day as well as 5 to 7 days in advance.

14 **Ms. Apps:** And the wind speed here is in meters per second, do you see that, M/S?

15 **WIT:** Yes.

16 **Ms. Apps:** So if you convert that -----

17 **WIT:** Right. On the website we have it in I/S so it would show miles per hour and feet.
18 You can change it so we don't have to convert it. But in this instance he put it in
19 standard.

20 **Ms. Apps:** Right. To be clear what we're looking at is historical information regarding
21 the forecast that was provided on April 13th that you asked the company to provide to
22 you, right?

23 **WIT:** That's correct.

1 **Ms. Apps:** When you look at it in real time on the computer or the phone through the
2 weather App that you described, you're not seeing it, in other words like this are you?

3 **WIT:** No, ma'am.

4 **Ms. Apps:** You're seeing the same information displayed in a much more reader
5 friendly or user friendly way, if I could put it that way?

6 **WIT:** Yes with graphs that are available, yes.

7 **Ms. Apps:** And in terms of this particular weather data that you obtained it indicates
8 that it gives out forecasts four times a day?

9 **WIT:** That is correct, yes.

10 **Ms. Apps:** Lieutenant Alger you can take that down.

11 **CAPT Phillips:** Ms. Apps I'm just going to ask a quick question just for planning
12 purposes. We're approaching our limit on the live stream. How much more time do you
13 anticipate needing for questions?

14 **Ms. Apps:** Not too much. Five to ten. Is that more than you had hoped?

15 **CAPT Phillips:** Okay. Then we will take a brief recess now. We'll take a 5 minute
16 recess and reconvene at 1725. The time is now 1720. This hearing is now in recess.

17 *The hearing recessed at 1720, 10 August 2021*

18 *The hearing was called to order at 1727, 10 August 2021.*

19 **CAPT Phillips:** The time is 1727. This hearing is now in session. Thank you. You
20 can continue.

21 **Ms. Apps:** Thank you Captain Phillips. Paul you testified earlier that you spent some
22 time on the phone with Captain Ledet the morning of April 13th discussing weather at
23 the different locations that were on his route to Main Pass. You had two calls, I mean

1 you've testified about one at 8:46 a.m. that was for 11 minutes and another one where
2 you connected with Captain Ledet at 10:33 a.m. for 3 minutes. Do you recall as you sit
3 here today which – in which conversation you discussed weather, the weather with
4 Captain Ledet?

5 **WIT:** Yes, ma'am. Actually in both conversations. The first one would have been
6 particular to the weather at different points, the weather forecast was which were all the
7 same. And the second one was kind of just a final, you know everything kind of coming
8 into place before departure and I remember him quoting and saying you know before
9 we leave I will look out the window and we'll go from there. Meaning he was going to
10 check the weather and you know proceed on if he felt necessary.

11 **Ms. Apps:** Thank you. Lieutenant Alger may I ask you to display Exhibit 139?
12 [Showing Exhibit]. Paul you also mentioned that you received an email from the
13 POWER indicating that it was jacking down. Can you just confirm if the email that's on
14 the screen is the one that you were referring to?

15 **WIT:** Yes, ma'am.

16 **Ms. Apps:** And Captain Ledet writes jacking down from Bollinger Fourchon heading to
17 Main Pass 138 at 12:17 on April 13th. Do you see that?

18 **WIT:** Yes, ma'am.

19 **Ms. Apps:** So was it clear to you from his email that the Captain was leaving the dock?

20 **WIT:** Yes, that's accurate.

21 **Ms. Apps:** And he wrote all good, do you see that?

22 **WIT:** Yes, ma'am.

1 **Ms. Apps:** Did you take that, well withdrawn. Can you – you mentioned also another
2 email that you received from the POWER around 3 p.m. Lieutenant Alger would you
3 mind displaying Exhibit 140 [showing Exhibit]. Is this the email you were referring to
4 earlier today Paul?

5 **WIT:** Yes, ma'am.

6 **Ms. Apps:** Do you see that this also indicates in terms of location on route to Main
7 Pass 138?

8 **WIT:** Yes.

9 **Ms. Apps:** And you know from that the vessel was underway? Is that right?

10 **WIT:** Yes, that's accurate, yes.

11 **Ms. Apps:** And Lieutenant Alger if you could go to page 2 of this document. Do you
12 see there Paul it references weather?

13 **WIT:** Yes, ma'am.

14 **Ms. Apps:** Did you take that to be the weather that Captain Ledet was experiencing at
15 the time he wrote this email?

16 **WIT:** Yes, ma'am.

17 **Ms. Apps:** You were asked a number of questions about different sorts of weather
18 instruments on the bridge and weather information that is available to the Captain when
19 he's underway. I'm going to ask Lieutenant Alger to display Exhibit 119 [showing
20 Exhibit]. You did mention some of the items on the – instruments on the bridge. If we
21 could briefly run through some of these on this document. 119, sorry Lieutenant Alger
22 119. Do you recognize this document?

23 **WIT:** Yes, ma'am.

1 **Ms. Apps:** What is it?

2 **WIT:** This is an ABS you can call it a check sheet or survey done by Marine Systems
3 out of Houma which is pretty much done annually to verify that all the bridge navigation
4 equipment is in working order.

5 **Ms. Apps:** And the date of this report is February 3rd, 2021, do you see that?

6 **WIT:** Yes, ma'am.

7 **Ms. Apps:** Does that reflect these, the radio technician information here is checked
8 and certified as of February 3rd, 2021?

9 **WIT:** Yes, ma'am.

10 **Ms. Apps:** And does SEACOR bring in an outside vendor to go through and make sure
11 that all the weather instruments on the bridge on the POWER are in working operation?

12 **WIT:** Annually, yes. It's required.

13 **Ms. Apps:** And if you could, Lieutenant Alger if you wouldn't mind scrolling down to the
14 bottom of this page. Do you see there's a stamp there that reads Superior Marine Tech
15 Services Inc., do you see that?

16 **WIT:** Yes, ma'am.

17 **Ms. Apps:** Do you recognize that name?

18 **WIT:** Yes, ma'am. That's a third party vendor that SEACOR uses to certify all the
19 navigation equipment annually.

20 **Ms. Apps:** And let's just go to, we won't run through the whole document Paul. If you
21 could just go to the second page Lieutenant Alger at the bottom. It includes VHF
22 transceivers, do you see that?

23 **WIT:** Yes I do.

1 **Ms. Apps:** And what is that?

2 **WIT:** So that is the handheld radios that are on board for communications primarily as
3 you see 6, 13 and 16 which is the channels that all vessels monitor.

4 **Ms. Apps:** And Lieutenant Alger if you could just scroll through the next page, it has
5 more entries for VHF, then there's entries for MF/HF. And if you could keep going to
6 the next page there's entries for IMARSAT, NAVTEX. Do you see all those entries?

7 **WIT:** Yes I do.

8 **Ms. Apps:** And in each case there's a check mark for yes, do you see that?

9 **WIT:** Yes, ma'am. I do.

10 **Ms. Apps:** And that signifies that they were in working condition?

11 **WIT:** That's accurate, yes.

12 **Ms. Apps:** And if you go further down Lieutenant Alger just to the next page if you
13 wouldn't mind, thank you. It's referenced to enhanced group call, do you see that?

14 **WIT:** Yes.

15 **Ms. Apps:** And then the float free satellite EPIRB, do you see that?

16 **WIT:** Yes.

17 **Ms. Apps:** And again everything was checked yes meaning it's operational, is that
18 right?

19 **WIT:** Exactly, yes.

20 **Ms. Apps:** Sorry, one of the things you were asked if, just switching gears a little bit
21 Paul to the charter conditions, I think you said marketing was primarily responsible for
22 that, but you were asked if you know whether there's any penalty for going off charter at

1 any point and time. I think you said you weren't sure. Do you recall being asked those
2 – that question earlier today?

3 **WIT:** Yes, ma'am.

4 **Ms. Apps:** What I want to focus on is I want to ask you regardless of whether the
5 company may go off charter because of a weather delay, once the crew members are
6 on board are they financially penalized in any way as a result of a delay from weather?

7 **WIT:** No, ma'am.

8 **Ms. Apps:** Just also a very small matter, but I think you were asked about the time that
9 the POWER came into the dock before it left the dock on April 13, do you know one way
10 or another whether it came in Saturday April 10th, or Sunday April 11th as you sit here
11 today, if you remember one way or another?

12 **WIT:** No, ma'am. Not in front of me.

13 **Ms. Apps:** I want to now turn to when you learned of the capsizing of the POWER and
14 the efforts you under took in the afternoon of April 13th. Lieutenant Alger would you
15 kindly display, I believe it's Exhibit 210 [showing Exhibit]. You referenced receiving an
16 email from dispatch regarding notification about the EPIRB. Lieutenant Alger can I ask
17 you to, thank you. Do you recall that testimony earlier Paul?

18 **WIT:** Yes, ma'am.

19 **Ms. Apps:** Is this the email you were talking about?

20 **WIT:** Yes, ma'am, that is correct.

21 **Ms. Apps:** And it reads, quote I received a call at 1407 from the U.S. Coast Guard
22 regarding an EPIRB beacon alert coming from the SEACOR POWER, do you see that?

23 **WIT:** Yes.

1 **Ms. Apps:** And it gives a number to contact for the Coast Guard ending in 6225 to
2 verify the beacon ID number and confirm the vessel's status, do you see that?

3 **WIT:** Yes I do.

4 **Ms. Apps:** Now you received this, well according to this document timestamp of the
5 email is 1616 or 4:16 p.m. Central Time, is that right?

6 **WIT:** Yes that's correct.

7 **Ms. Apps:** And you remember receiving this email on the afternoon of April 13th?

8 **WIT:** Yes I do.

9 **Ms. Apps:** I think you said the first thing you did was try to reach out to Captain Ledet
10 on his cell phone, do you recall that?

11 **WIT:** That is correct. At 1619.

12 **Ms. Apps:** The time that you made that call is 1619?

13 **WIT:** Yes, ma'am.

14 **Ms. Apps:** And then speaking to Captain Ledet on his cell phone was something you
15 had done even earlier that day, is that right?

16 **WIT:** Yes. That's normal. That's our normal means of communication wherever he is.
17 His cell phone he has, I guess the offshore plan that I could reach him at any time.

18 **Ms. Apps:** Now you already described a series of calls that you made to, contractor
19 communications, you even tried an individual on the boat who's number you found to
20 call and is it fair to say that you were making non-stop calls until you received a call
21 from Joey Ruiz at 4:35 p.m.?

22 **WIT:** Yes, ma'am. That's very accurate.

1 **Ms. Apps:** And you were making calls to try to ascertain the vessel's status, is that fair
2 to say?

3 **WIT:** Yes that's very fair to say. So that way I can respond accurately. I knew the
4 vessel is underway, but of course if an EPIRB goes off it could be false information, that
5 has happened before where an EPIRB can fall to the deck due to, you know the cradle
6 may break, it happens. So just to get an accurate information of what particularly
7 happened. First instinct is to call the vessel to check on the vessel's status.

8 **Ms. Apps:** So that's what you were trying to do as soon as you saw that email from
9 dispatch notifying you about the Coast Guard call at approximately 4:07 p.m., is that
10 fair?

11 **WIT:** That is fair, yes.

12 **Ms. Apps:** When you received the call from Mr. Ruiz that's when you learned that the
13 vessel had capsized, correct?

14 **WIT:** Yes, ma'am.

15 **Ms. Apps:** And you shortly thereafter trying to call the Fourchon Harbor Police, is that
16 right?

17 **WIT:** Yes, ma'am.

18 **Ms. Apps:** And then at 4:45 is when you called the number that was displayed in the
19 email mentioning the call from the Coast Guard that we just looked at in Exhibit 210, is
20 that right?

21 **WIT:** That's correct.

22 **Ms. Apps:** And that call lasted for approximately 4 minutes, is that correct?

23 **WIT:** Yes, ma'am.

1 **Ms. Apps:** Do you remember who you spoke to?

2 **WIT:** No, ma'am, I do not.

3 **Ms. Apps:** Do you remember what was discussed on that call?

4 **WIT:** Yes, ma'am. I gave my name, who I worked for, my contact number and that I
5 learned that the SEACOR POWER had potentially capsized and if they had any
6 information or knowledge of this due to the email from the EPIRB beacon.

7 **Ms. Apps:** And later, not much later actually at 4:57 you actually received a call from a
8 different Coast Guard telephone number, is that right?

9 **WIT:** Yes, that's correct.

10 **Ms. Apps:** And that call lasted 5 minutes?

11 **WIT:** Yes, ma'am, it did.

12 **Ms. Apps:** Do you remember who you spoke to on that call?

13 **WIT:** Yes I spoke to Mr. Seth Gross.

14 **Ms. Apps:** Do you remember what was discussed?

15 **WIT:** No, ma'am, not off hand.

16 **Ms. Apps:** On either call with the Coast Guard did you ever make a representation that
17 there were only 7 people aboard the SEACOR POWER?

18 **WIT:** No.

19 **Ms. Apps:** You mentioned a Teams calls and that happened around that time. You
20 mentioned an invite for 5 p.m. with an all hands on deck meeting with Senior Executives
21 of the company, do you recall that testimony?

22 **WIT:** Yes.

23 **Ms. Apps:** Was it SEACOR's focus to do everything they could to help in this situation?

1 **WIT:** Absolutely.

2 **Ms. Apps:** And ultimately was SEACOR coordinating with Coast Guard in search and
3 rescue efforts?

4 **WIT:** Yes, ma'am.

5 **Ms. Apps:** One of the things that SEACOR did was actually reach out to Don Jon
6 divers, correct?

7 **WIT:** Yes, ma'am. Don Jon Smith salvage, that's correct.

8 **Ms. Apps:** And SEACOR had a contract with Don Jon Smith so that they could -----

9 **WIT:** From my understanding, yes.

10 **Ms. Apps:** I beg your pardon?

11 **WIT:** Yes. From my understanding that is correct, yes.

12 **Ms. Apps:** So they could mobilize divers to assist in your search and rescue
13 operation?

14 **WIT:** Immediately.

15 **Ms. Apps:** Again under the direction of the Coast Guard which was in charge of the
16 search and rescue operations at the time, is that fair?

17 **WIT:** That's fair, yes.

18 **Ms. Apps:** You were asked a couple questions about Captain Ledet and his
19 experience as a Captain and his ability to handle the ship. I think you said you had no
20 issues with his experience, is that right?

21 **WIT:** No, ma'am. I never did.

22 **Ms. Apps:** And would you say that's true with the rest of the crew on the SEACOR
23 POWER that day?

1 **WIT:** Yes, ma'am. I can confidently say that.

2 **Ms. Apps:** Just one moment, Captain. I have no further questions. Thank you.

3 **CAPT Phillips:** Thank you Ms. Apps. Mr. Kucharski.

4 **Mr. Kucharski:** Sorry just one quick question. Did you say, I just want to make sure,
5 that you believe the Captains were receiving a bonus but you didn't know what the
6 bonus system was?

7 **WIT:** That's correct.

8 **Mr. Kucharski:** No further questions, thank you.

9 **CAPT Phillips:** Thank you Mr. Kucharski. Mr. Fremin thank you again for participating
10 today at our hearing. As we wrap it up I'm interested to know if you have any
11 recommendations on how to prevent something like this from happening again in the
12 future.

13 **WIT:** Recommendations none at this time, ma'am. We're still going through this and
14 learning throughout this entire process with these hearings. You know currently what
15 we're doing in house, so nothing at this time.

16 **CAPT Phillips:** Thank you. Is there anything that we haven't asked us – asked you
17 that you would like to tell us about?

18 **WIT:** No, ma'am.

19 **CAPT Phillips:** Thank you very much. You're now released as witnesses at this
20 Marine Board Investigation Hearing. Thank you for your cooperation. If I later
21 determine that this board needs additional information from you I will contact you
22 through your legal counsel. If you have any questions about this investigation you may

1 contact Board Recorder Lieutenant Anthony Alger. The hearing will reconvene at 0800
2 on August 11th, 2021. The time is 1747. This hearing is now in recess. Thank you.

3 *The hearing recessed at 1747, 10 August 2021*

UNITED STATES OF AMERICA
UNITED STATES COAST GUARD

In the Matter of:

THE MARINE BOARD OF INVESTIGATION INTO THE CAPSIZING OF THE L/B
SEACOR POWER ON 13 APRIL 2021 WHILE TRANSITING THE GULF OF
MEXICO

I, [REDACTED], an officially designated and qualified
Court Reporter of the United States Coast Guard, hereby certify
that the foregoing proceedings were taken by me and transcribed
by me, and is a true record of the testimony of all witnesses,
and of the proceedings herein contained. I further certify that
there is no interest attached, either financially or by virtue
of relationship with any party hereto, on my part.

[REDACTED]

Court Reporter/Paralegal Specialist
U. S. Coast Guard, Eighth District